

Trend of Today's Markets

Stocks strong. Bonds lower. Foreign exchange steady. Cotton firm. Wheat higher. Corn strong.

VOL. 89. NO. 206.

ST. LOUIS POST-DISPATCH

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ST. LOUIS, TUESDAY, MARCH 30, 1937—60 PAGES.

FINAL

(Closing New York Stock Prices)

PRICE 3 CENTS.

BLAMES NEW DEAL DRAFTING OF BILLS FOR COURT UPSETS

Prof. E. N. Griswold Says
Advice to 'Eliminate
Constitutional Difficul-
ties Was Spurned.'

FRAZIER-LEMKE BILL CITED AS EXAMPLE

Cummings' Ex-Aid Points
Out at Hearing, Court
Scheme Once Adopted
Would Be Irretrievable.

By MARQUIS W. CHILDS,
A Staff Correspondent of the
Post-Dispatch.

WASHINGTON, March 30.—Speaking from his own experience in the Department of Justice under the New Deal, Erwin N. Griswold, professor of constitutional law at Harvard University, charged before the Senate Judiciary Committee today that the present administration "impudently spurned" any suggestion that New Deal laws should be drafted "so as to eliminate constitutional difficulties."

Blame for recent decisions of the Supreme Court should fall upon those who drafted laws that have been declared unconstitutional rather than upon the court itself, Griswold declared in the course of a vigorous attack on President Roosevelt's proposal to add six new justices to the Supreme bench.

Criticism of Griswold's appearance before the committee, which has been the subject of much criticism of the "conservative" majority of the court.

Events in the Supreme Court controversy stirred by the President in his message of Feb. 5 are happening so quickly that it is difficult to keep up with them. This was illustrated by Griswold's appearance before the committee.

In the course of the statement he read to the committee, prepared several days ago, the Harvard professor deplored the decision in the Tipaldo case in which the Supreme Court ruled New York's minimum wage law unconstitutional. Yesterday the court in effect reversed that decision when it declared the Washington State minimum wage law constitutional, also by a five-to-four decision as in the New York case.

Meaning of the reversal was that "due process has come to mean reasonable," Griswold said, "and reasonable has come to mean reasonable to the majority of the Justices for the time being. How far that standard may be from the general standard of the community is illustrated by the minimum wage decision of last year."

"And how quickly that standard can come to meet the public view is illustrated by yesterday's minimum wage decision."

Criticizing the hasty way in which legislation was drawn by the Department of Justice, Griswold said:

"We had a clear illustration of that yesterday. The first Frazier-Lemke bill was drawn with extreme haste and when it came before the court the first time it was thrown out by unanimous decision of the court written by Mr. Justice Brandeis. The second Frazier-Lemke bill was drawn with great care and yesterday the Court by a unanimous decision found it constitutional."

As "irretrievable" Error. Griswold in his analysis of the President's court remarking bill presented as telling a criticism of its effect as the committee has yet heard, he said:

"Do not forget that the proposed bill is not merely a provision for the appointment of a judge to sit with each judge over 70. It is a provision creating a new judgeship permanently. When the judge over 70 dies or retires, he is to have a successor, too. It could happen under this bill that the Supreme Court would number 15 judges, all over 70."

Certainly, I think we can conclude that apart from the present controversy there would be no basis for reason nor justification for increasing the court's membership to any such number as 15. Moreover, this seems to be a point of great importance—the fact once taken into account that the next six justices would be appointed by the President, and that the next six vacancies on the court should not be filled."

On Court's Docket. Supreme Court Clerk Charles E. Cropley responded today to the request of the committee for information as to the status of the court's docket. Cropley presented a series of tables which, he said,

Continued on Page 2, Column 2.

Senator Glass Brands President's Proposal an Evil and Autocratic Scheme to Pack Supreme Court

Virginian Declares, as in the British Star Chamber, Justices Are Told to "Begone" If They Won't Accept Wet-Nurses.

SENATE IS TOLD OF ROOSEVELT-HUGHES DEBATE SUGGESTION

Senator Wheeler Says It Deserves Serious Consideration—Editorial Put in Record.

Special to the Post-Dispatch.

WASHINGTON, March 30.—Senator Burton K. Wheeler (Dem., Mont.), leader of the opposition to President Roosevelt's plan to remake the Supreme Court, called the attention of the Senate today to the editorial which appeared in the St. Louis Post-Dispatch on Wednesday, March 24, proposing a debate on the court issue between the President and Chief Justice Hughes.

In a brief statement made during the course of debate on the administration's crop insurance bill, Wheeler declared that the proposal deserved "serious consideration." The editorial called for a debate between the Chief Justice and the President to be held in the Senate, with the nation listening in over the radio.

On Wheeler's recommendation, the editorial will be incorporated in the Congressional Record. Several Senators have considered the suggestion of a debate since it was first made in the Post-Dispatch, but Wheeler was the first to act. It has appealed particularly to opposition Senators who have felt that it might be a means of winning over those who are still in the doubtful column.

After Wheeler had spoken about the debate on the Supreme Court controversy stirred by the President in his message of Feb. 5 are happening so quickly that it is difficult to keep up with them. This was illustrated by Griswold's appearance before the committee.

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Continued on Page 2, Column 2.

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LEGISLATOR QUILTS O'MALLEY INQUIRY CALLING IT FUTILE

Smith, Who Introduced
Resolution to Start Investigation, Fails to Get
House to End It.

PUBLIC FUNDS WASTED, HE SAYS

Virtually Nothing Disclosed
Public Did Not Already
Know About Insurance
Compromise Deal.

By CURTIS A. BETTS,
A Staff Correspondent of the
Post-Dispatch.

JEFFERSON CITY, March 30.—Representative Francis Smith of St. Joseph withdrew today from the House Insurance Committee's investigation of the compromise of the fire insurance rate litigation entered into with the insurance companies by E. Emmet O'Malley, State Superintendent of Insurance. He presented a motion asking the House to discharge the committee and end the so-called inquiry.

The House, importuned by members of the committee, to permit it to proceed with its hearings, voted down Smith's motion. He urged the Speaker to accept his resignation from the committee, and when doubt was expressed that there was power to relieve him, he said he would not attend any further sessions and thus automatically would be dropped from the committee after three meetings.

Five of the members of the committee insisted that the investigation be permitted to proceed to a conclusion, saying they were convinced that no evidence would be found showing any wrong-doing by any person.

In response to a question by Representative Keating of Kansas City, as to whether he should not stay on the committee "to make a minority report," Smith retorted that he could have made a minority report before the first witness took the stand as he knew then what the majority report would be.

Charges Hypocrisy and Sham. When offering the resolution, Smith made a temperate statement of his reasons for withdrawing, but after he had been denounced by Floor Leader Hamlin, Chairman Shockey of the committee and others, he struck out with assertions that the attitude of the leaders among those who wanted to go "with the whitewash" was one of "hypocrisy and sham."

"Isn't the gentleman from Jackson (Keating) a delightful fellow to work shoulder to shoulder with in an investigation?" asked Smith. "It was he who wanted to take the testimony in secret session because, he said, there would be prominent business men before the committee and it might be embarrassing to them in the investigation," he said.

"At the inception of this inquiry the gentleman from Pulaski (Shockey) told me why he would not join in the introduction of the resolution. I hope this hypocrisy will not be continued to the point where it will be necessary to explain everything to the House."

Smith, who introduced the original resolution for an inquiry, said on the floor of the House that the committee had not attempted toward an exhaustive investigation that virtually nothing had been disclosed that was not general public knowledge, and that the inquiry was "aimless and purposeless," and to proceed further would be a waste of public funds.

Efforts to Block Inquiry. He recited the series of efforts made by House leaders to block the inquiry, starting immediately on the introduction of his resolution, of Floor Leader Hamlin's attempt to amend the resolution to deprive the special committee which Smith had asked be appointed of all the necessary powers, and of the shutting of the inquiry to the regular Insurance Committee.

He said that under the plan on which the committee was proceeding the inquiry was futile and that he and the committee members could much better devote their time to matters of legislation.

At the time Smith spoke the committee had completed its examination of O'Malley and many attorneys for the insurance companies and the Insurance Department, who had had part in the compromise or the 15 years of litigation which preceded it. Virtually the entire inquiry had been given over to building up the defenses of those under investigation, and no effort had been made to go back of their statements that the compromise was a meritorious one.

Expected Small Committee. "It was naturally my expectation when I introduced the resolution that, if it were adopted, a small committee specially qualified for

Continued on Page 2, Column 5.

Continued on Page 2, Column 5.

Continued on Page 2, Column 5.

Continued on Page 2, Column 5.

13-YEAR-OLD BOY DIES IN FIRE IN CLAYTON HOME

Son of Alexander Fraser
Suffocated When Trapped
in Room of Residence at
6 Forest Ridge.

PARENTS, SISTER, BROTHER, RESCUED

Taken From Second Story
Porch by Firemen; \$50,-
000 Estimated Damage to
21-Room House.

Grant Fraser, 13-year-old son of Alexander Fraser, president of the Shell Petroleum Corporation, died of suffocation today when trapped in his room by a fire which swept through the rambling 21-room residence at 6 Forest Ridge, Clayton.

His parents, asleep in another part of the house, were awakened by smoke at 5 a. m. They aroused the household by shouting, but found the stairway in flames and were forced to flee to a second-story porch where they were rescued by firemen.

Firemen also took from the porch Miss Sheila Fraser, 15 years old, and her brother, Ronald, 5, and his French governess, Mlle. Emilie Altermatt.

His Escape Cut Off. But Grant, occupying a room in the north wing of the big two and one-half story English type brick house, found his escape cut off. Awakened by the shouts of his father and mother, he found a short flight of steps leading to his room in flames.

He tried to escape by a window, but found it blocked by a fire. He was seen by firemen as he lay on the floor of his room, and they were unable to reach him in time.

"I'm suffocating. Help." But neither his mother, Anna Kallender, nor his companion, Alverna Shubert, was able to assist him. The next door neighbor, Mrs. Oscar C. Lamy, aroused by the shouts of the household, telephoned the Clayton fire department.

Fire Chief John O'Sullivan mounted a ladder to the boy's room but said he encountered such heat that at first he could not enter. Grant's body was found lying by the window, slightly burned. An inhalator was used for 45 minutes in an attempt to revive him.

Start of the Fire. Chief O'Sullivan estimated the damage to the house, which Fraser leased from Frank von Brecht of Miami Beach, Fla., at \$50,000. A preliminary survey, the Chief said, indicated the fire started in the living room on the first floor and apparently smoldered for some time before breaking into flames.

He advanced the theory it might have been caused by a misplaced cigarette.

The residence was heated by oil gas was used in cooking, but there was no indication that either fuel caused it, the Chief said, nor did he detect any examination of the burned interior disclose any faulty electrical connections. The flames did not enter the basement. No fire had been laid in the living room fireplace.

The Clayton fire department was joined by the fire from the Richmond Heights and University City and a car from the salvage corps in St. Louis.

The distraught Fraser family went to the home of Mr. and Mrs. Lamy. Another son, William Fraser, 19 years old, is a student at Williams College. Grant attended John Burroughs School.

The Fraser home, in a private residential section at the southwest corner of Big Bend and Wydown boulevards, is surrounded by extensive grounds.

GERMAN ENVOY TO U. S.

Dr. Hans Dieckhoff, Formerly at London, Named.
BERLIN, March 30.—Appointment of Dr. Hans Dieckhoff as Ambassador to Washington to succeed Dr. Hans Luther was officially announced today.

Dr. Dieckhoff, former counselor of the London Embassy and more recently in charge of the American section of the foreign office here, hopes to assume his new post in May.

OWES \$8,500,000, HAS \$400

Florida Boom-Time Realty Operator Files in Bankruptcy.
By the Associated Press.
MIAMI, Fla., March 30.—Hugh M. Anderson, boom-time real estate operator, listed assets of \$400 and liabilities of \$8,502,778.84 today in filing an involuntary bankruptcy petition.

Anderson headed a company that developed the village of Miami Shores, now known as North Miami Beach.

SERIOUS REVOLT AGAINST GEN. FRANCO BY OFFICERS AND SOLDIERS REPORTED

Sentenced to Penitentiary



TONY CIPRIANO (right)
Photographed this morning at the Federal building.

KIRKSVILLE MAYOR HURT BY AUTO BLAST

Police Think Nitroglycerin May Have Caused It—U. S. Investigators on Way.

By the Associated Press.
KIRKSVILLE, Mo., March 30.—Federal and State officers were on the way here today to aid local officials in investigating an automobile explosion which severely injured Mayor Gail H. Jacobs of Kirksville when he prepared to leave home for his office this morning.

The Mayor is in a serious condition but still is conscious. Dr. J. O. Stickler reported Jacobs' left leg broken in 15 places with splinters of bone piercing his flesh and causing extensive hemorrhage. Members of his family were being examined in the event a blood transfusion is necessary.

State Highway Patrolman Maurice Parker said S. M. Casper, patrol superintendent, Trooper Johnson, a fingerprint expert, and Trooper Cook, a chemist, were on their way here from Jefferson City. He said a Federal Bureau of Investigation operative was coming from St. Louis.

Mayor Jacobs tried to start his automobile in the garage behind his home when the motor exploded. The garage was damaged and windows of his residence were shattered.

Police said they found no trace of a bomb, but since the crank case was shattered apparently from the inside, they thought nitroglycerin might have been put in the motor.

TWO BRITISH OFFICERS AND 20 NATIVES KILLED BY TRIBESMEN

Forty Others Wounded in Clash on Northwestern Frontier of India.
By the Associated Press.
NEW DELHI, India, March 30.—Two British officers and 20 native soldiers were killed today in an engagement with hostile tribesmen on the northwestern frontier. Forty others were wounded.

ROBINSON ON COURT TONIGHT

Senate Leader Will Defend Roosevelt Proposal.
NEW YORK, March 30.—Senator Joseph T. Robinson of Arkansas, majority leader of the Senate, is scheduled to deliver a 45-minute talk in behalf of the President's Supreme Court plan at 9:30 St. Louis time tonight over the Columbia Broadcasting System. The broadcast follows by approximately 34 hours the talk in opposition by Senator Carter Glass of Virginia on the same network.

Another court speaker is Louis J. Tamm, master of the National Bar Association, who will oppose the change in an address from Station WOR over the Mutual network at 9:30 St. Louis time.

CHILD LABOR LOSES 30-6

Massachusetts Senate, Like House, Rejects Amendment.
BOSTON, March 30.—The Massachusetts Senate today, by a roll call vote of 30 to 6, rejected ratification of the Federal child labor amendment.

The House last week voted 183 to 13 against ratification.

Votes to Name Peak for Roosevelt.

DENVER, Colo., March 30.—The Colorado Senate adopted a resolution today calling for the naming of a Colorado mountain as "Mount Franklin Roosevelt." The peak, to be selected by a legislative committee, shall be "not less than 14,000 feet in elevation," the resolution provides.

MASS EXECUTIONS OF CONSPIRATORS SAID TO HAVE TAKEN PLACE

Revolters Within Insurgent
Ranks and Government
Prisoners Totalling Hun-
dreds, Declared to Have
Been Shot.

HUGE GUNS MOUNTED ON SPANISH COAST

Pointed Toward Morocco
After Wire Connections
Between Spain and Af-
rica Are Severed—Use of
Italians Resented.

By the Associated Press.

CASABLANCA, French Morocco, March 30.—Telephone communication with Tetuan, capital of insurgent-held Spanish Morocco, was cut suddenly late today—strengthening reports of a grave revolt against General Francisco Franco's insurgent regime.

The line was cut at 3 p. m. Hours later, all efforts to get in touch with Tetuan authorities had failed. Before the communication was broken off, insurgent officials had denied categorically reports reaching here and Gibraltar to the effect that between 34 and 100 rebellious officers and soldiers had been executed summarily at the Tetuan air camp.

Throughout the day there were advices from Algeiras, Malaga, La Linea and San Roque, insurgent garrisons in Southern Spain across the Straits of Gibraltar, relating that many insurgent officers and revolters—as well as Government prisoners—had been liquidated as the result of sudden, apparently connected, uprisings.

Some of the trouble was laid to Spanish insurrectionists' contempt at the activities of Italians in their armies.

Spanish Morocco and the southwestern tip of Spain constituted the cradle of Franco's revolt against the Spanish Government last July 18. The area has been in insurgent hands since then.

Insurgent-Held Centers Reported

GIBRALTAR, March 30.—Spanish insurgents tonight mounted four huge German-made guns on the sea-coast between Algeiras and Tarifa, in the heart of an area where mass executions were reported to have been carried out against revolters within Gen. Franco's insurgent ranks.

Insurgent gunners manned the great coastal pieces, which pointed out across the straits and toward the Rock of Gibraltar.

The significance of the guns was not immediately explained, but they were perhaps emplaced to repel counter-revolt from Spanish Morocco, across the Straits. There, telephone communication with Tetuan was cut after reports that between 30 and 100 revolters had been executed at the Tetuan airfield.

Many Shot in Reprisal. Mass executions in extreme Southern Spain—including those of 50 conspirators against Gen. Franco's insurgent rule and 50 Government prisoners shot in reprisal—were reported today from Algeiras, where the revolt reported centered in the insurgent-held towns of Algeiras, La Linea and San Roque.

The 30 insurgent conspirators, with 20 soldiers among them, were killed over the week-end, the reports said. In addition, the 50 Government prisoners were reported to have been shot by firing squads after authorities declared they had helped to foster an anti-insurgent revolt in the Malaga region.

The rebel military commandant at La Linea was relieved of his post. A carabinieri who visited Gibraltar said the insurgents were dissatisfied with reductions in their wages and also because of their treatment by Gen. Franco's military commanders.

The principal plot, the carabinieri said, sprang up at Algeiras among Gen. Franco's troops.

Other persons arriving here said

Continued on Page 2, Column 5.

Report They Drove Back Attack by Loyalists at Aravaca and Partridge Hill on Northwestern Front at Capital.

LOYALISTS PUSH ON IN GUADALAJARA

Losses His Wife Off Back Seat.—INTRIA, Italy, March 30.—When Angelo Piliotti halted his motorcycle in his back yard after an afternoon spin in the country he was surprised to find his wife missing from the back seat. After several hours of search he found her in a hospital of a neighboring town.

UNITED STATES SENATOR CARTER GLASS
Thalwinning radio attack on the court scheme in Washington last night.

"I do not think there was any question of time," Griswold said. "I think the court had the courage to correct an error."

"Oh, you think the decision of the court is the right one?"

Government to perform the maximum services that it is possible for it to perform for agriculture and that this will be held constitutional by the Supreme Court as now constituted.

Warning the committee that disrespect for laws "breeds violence," Miller said "it is not an exaggeration to state that if the American

and Glass
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The text of Senator Glass
speech is on Page 4A.

City Ice
3638 O
ON SEE Y

their souls, protest to Congress against this attempt to replace representative government with an autocracy.

& Fuel Co.
St. Louis
408
Between Loc

In response to a question as to

IGELS

. SIXTH

st and St. Charles

It, Declares O'Mall
Wisconsin, H
Many Real Estate
migration Cases

Representative Dirksen
Illinois, a member of the
which Sabbath heads, said
erator legislation was
rently.



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**It, Declares O'Malley of
Wisconsin, Handled
Many Real Estate Reor-
ganization Cases.**

member of the committee
which Sabath heads, said the con-
servator legislation was needed
greatly.

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some minor discoloration and small dark spots, possibly due to age or handling. A horizontal crease is visible near the bottom edge of the page.

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Colonel JOSEPH A. ATKINS,
Jefferson Barracks

**SEE: "The Soldier and the Lady" based
on Jules Verne's "Michael Strogoff,"**
Friday FOX Theatre

He had formerly served for two years as Granite City township physician, an appointive office. Surviving are his wife, two sons, Byron W. Haven, an attorney, and Everett Haven, and a brother, Dr. J. M. Haven, St. Louis physician.

Representative Dirksen (Rep.), Illinois, a member of the committee which Sabath heads, said the conservation legislation was needed greatly.

SENATOR GLASS' ADDRESS CLEMENNING ROOSEVELT COURT SCHEME

Declares It Is Abominable Attempt To Replace Representative System Of Government With Autocracy

Finds Only Precedent in British Star Chamber, Saying Justices Are Rudely Told To 'Begone' if They Do Not Want Judicial Wet-Nurses.

WASHINGTON, March 30.—Following is the text of the radio address delivered last night by Senator Carter Glass of Virginia condemning President Roosevelt's proposal to remake the Supreme Court:

The speaker this evening is Carter Glass, senator of Virginia in the Congress of the United States. Never in my career until now have I ventured to debate before the public a measure pending in the Senate and awaiting decision there, but the proposer of the problem to which I shall address myself tonight have seemed fearful of a deliberate consideration of the proposal to pack the Supreme Court of the United States; they have definitely avowed their purpose to take the discussion into every forum, with the uncoerced intention of bringing pressure to bear on members of Congress to submit obediently to the frightful suggestion which has come to them from the White House. The challenge has been accepted by those who oppose the repugnant scheme to disrupt representative government in the nation; and the battle is on to the end.

Confessedly I am speaking tonight from the depths of a soul filled with bitterness against a proposition which appears to me utterly destitute of moral sensibility and without parallel since the foundation of the republic. However, I am not speaking my mind alone; the character and intelligence of the nation are aroused and I am reflecting as best I can the indignation of thousands upon thousands of individual citizens whose telegrams and letters to me as a single Senator are on the desk before me as an inspiration against any faltering in this time of extreme peril to that charter of our liberties which Gladstone pronounced "the most wonderful work ever struck off at a given time by the brain and purpose of man."

There has been some talk about "organized propaganda" against this unabashed proposition to pack the Supreme Court for a specified purpose! Propaganda was first organized in behalf of the scheme right here in Washington and has proceeded with unabated fury from the White House firestorm to nearly every rostrum in the country.

A "Visionary Incendiary." Political janitors, paid by the Federal Treasury to perform services here and charged with no official responsibility for determining questions affecting the nation's judiciary, are parading the states in a desperate effort to influence the public against the Supreme Court of the United States. One of these visionary incendiaries spoke recently in a Southern state and exceeded all bounds of rational criticism in his vituperation of the eminent men who have served with great distinction on the Supreme Court. He is said to have been applauded by the audience of his partisans, which caused me to wonder if they could have known the type of person to whose unrestrained abuse of the Supreme Court and the great jurists who constitute its membership they approvingly listened. Did they know that he recently reproached the South for providing separate public schools for the races; that he urged repeal of every statute and ordinance of segregation; that he practically committed the administration at Washington to a new force bill for the South, declaring that since Lincoln's day has it better been realized than now the necessity of laws to strictly enforce the three post-civil-war amendments to the Constitution which kept the South in agony for years and retarded its progress for well nigh half a century? This infuriated propagandist for degrading the Supreme Court practically proposed another tragic era of reconstruction for the South. Should men of his mind have part in picking the six proposed judicial epicureans very likely they would be glad to see reversed these decisions of the Court that saved the civilization of the South and in spite of the menace of passionate partisans, with their violent threats to "reconstruct" the Court, prohibited the seizure and confiscation, without pay, of the estates of private citizens. It was the Supreme Court of the United States that validated the suffrage laws of the South, saved the section from anarchy and ruin in a period the unrepentable outrages of which nearly all the nation recalls with shame.

This, however, is merely an incidental aspect of the case, reflecting my intense personal resentment and a sharply revealing the sectional animosity of some of the fiercest defamers of the Supreme Court. Infinitely graver questions are presented. This enemy nation is aroused over the reverse the deliberate judgments of any independent court and to substitute for them the previously pledged opinions of judicial subalterns. With men of this un-

disguised radical type campaigning the country and applying their wretched "propaganda" to the Supreme Court, these who resist the shocking movement are imperceptibly reproached with "organizing propaganda." I challenge any proponent of this packing contrivance to examine the thousands upon thousands of personal letters and telegrams sent to me and find in them anything but individual indignation at the proposal to make an executive puppet of our Supreme Judicial tribunal. For myself, I think we should right now have "organized propaganda"—in the sense that the men and women of America who value the liberties they have enjoyed for 150 years should, with unexampled spontaneity, exercise their constitutional right of petition and, with all the earnestness of their souls, protest to Congress against this attempt to replace representative government with an autocracy.

Washington and Jefferson. Aside from these observations, let us consider the glaring proposal of the White House to pack the Supreme Court immediately with the President's own legal adherents for a specified purpose, and to enable him during his present term, even should there be not another, to entirely reconstitute the court with persons retaining his extraordinary views of government. The Attorney-General in inaugurating "organized propaganda" in behalf of the project undertook to identify the names of Washington, Jefferson and other eminent Americans with expedients akin to the unprecedented proposal of the President. Already I have publicly pronounced the assertion an indefensible libel on the fame of these great men and I am glad to note that the Attorney-General omitted in his statement before the Senate Judiciary in the history of American jurisprudence. Its consequences pretend evil beyond the anxiety of any person concerned for a decent administration of justice in this country. There is a precedent, dating back to the infamous star chamber processes of Great Britain, to which I shall presently refer.

George Washington, of course, was compelled to nominate a full Supreme Court at the very beginning of our national life, but no reputable person charged then or has ever believed since that Washington "packed" the court with men pledged to any certain line of conduct beyond faithful compliance with the required oath to uphold the Constitution in the sight of God, uninfluenced by the machinations of politicians or the self-interests of any group of men intent on draining the Federal Treasury. The men he selected for Chief Justice and associates were not only persons of eminence in the profession of the law, but in character literally incapable of going on the bench to submit obediently to executive decrees.

I have and now challenge the proponents of this startling scheme to pack the Supreme Court for the avowed purpose of validating acts of Congress already decided to be unconstitutional to produce one word written or spoken by Thomas Jefferson in advocacy of such a thing. If there ever was a public man who, aside from an unimpeachable character, could have been suspected of a desire to do such a frightful thing, it was Thomas Jefferson. He hated John Marshall, Chief Justice of the court, who was his kinsman, and Marshall hated Jefferson. The latter bitterly condemned Marshall's opinions. Recently emerged from under the tyranny of a mad king, Jeffersonians of the period dreaded the transformation of this republic into a monarchy. They ascribed Marshall of a desire, if not the purpose, to do this "step by step, idiosyncratically" through judicial interpretations. They knew Alexander Hamilton, who was Marshall's powerful political associate, could well wish it to be done. Jefferson was in essence at the obiter dicta in Marshall's famous opinion in the case of *Marbury vs. Madison* and other notable causes. Perpetually affronted, he bitterly censured this and other opinions of Marshall. However, for six years after the delivery of Marshall's celebrated federalistic opinion, concurred in by the court, Thomas Jefferson as President of the United States, with full opportunity to propose reorganization of the Supreme Court to compel obedience to his views; but, with overwhelmingly supporting Congress, he never then or at any time in all his life would have done such an abominable thing.

Woodrow Wilson's Views. Aside from his clear discernment of the vital importance of the checks and balances incorporated in the Constitution and his conception of judicial propriety, Jefferson would never have suggested such a thing for the reason subsequently stated with characteristic clarity and force

by Woodrow Wilson when he said:

"It is within the undoubted constitutional power of Congress to overwhelm the opposition of the Supreme Court on any question by increasing the number of Justices and refusing to confirm any appointments to the new places which do not promise to change the opinion of the Court. But we do not think such a violation of the Constitution is possible, simply because we share and contribute to that public opinion which makes such outrages upon constitutional morality impossible by standing ready to suppress them."

"Standing ready to curse them!" That vividly describes the attitude of thinking men and women everywhere in America today toward this hateful attempt to drive eminent jurists from the bench in order to crowd into the Court a lot of judicial marionettes to speak the ventriloquism of the White House. What Woodrow Wilson pungently described as an expedient to "overwhelm the Supreme Court by an outrage upon constitutional morality" is, in my view, the exact thing now proposed; and it requires little astuteness to predict with confidence that the prophecy of Wilson comes true and the curses of the American people, in the end, would be visited upon those responsible for this device to deprave the Supreme Court and to make a political plaything of the Constitution of the United States.

In like tenor with views entertained and frequently expressed by Woodrow Wilson were the profound convictions of another illustrious servant of the modern era. A practical student of government, a lover of his country, pre-eminent for courage and common sense, Grover Cleveland had a reverential regard for the Constitution and the courts. Nothing out of the ordinary views of this stern patriot to lay impious hands upon either to say or do anything designed to inflame untrained public opinion against them. Just prior to the second election to the presidency, Cleveland made a notable address at the centennial celebration of the Supreme Court. Recalling the sacrifices of the American people to be free and admonishing his hearers that the American Constitution knew from bitter experience how readily instrumentalities of government were prone to trespass upon the liberties of the governed, Cleveland pointed out that the American people had deliberately established as a function of their Government a check upon unauthorized freedom and a restraint upon dangerous liberty.

Said he, "the substantial and allegiance of the founders to the sovereignty of their states were warm and unflinching; but that did not prevent them from contributing a fraction of that sovereignty to the presidency, a court which should guard and protect their new nation, and save and perpetuate a government, which should, in all time to come, bless an independent people. Let us be glad in the possession of rich heritage of American citizenship, and gratefully appreciate the wisdom and patriotism of those who gave to us the Supreme Court of the United States."

"Misguided Judgment of President."

Telegram after telegram, letter after letter, sent me by the thousands, have said "God bless the Supreme Court." But who wants God to bless a packed Supreme Court? Who wants to invoke Divine blessing on a Court not constituted to put "a check upon unauthorized freedom and restraint upon dangerous liberty," but reorganized to validate acts of Congress in contravention to the Constitution now interpreted and to expound the Constitution in subservient obedience to the whims or obsessions or misguided judgment of a President of the United States? Woodrow Wilson said such Court and those responsible for it would receive the curses of the American people. Grover Cleveland said the Supreme Court was created for no such sinister purpose. Our God still being in the heavens, it is my belief he would regard as unwholesome any invocation of His blessing on a Court like that. We would better abolish the Supreme Court and, by the required process, do away outright with the Constitution if they are to be made the playthings of politicians.

What did Cleveland mean by checks and balances against "unauthorized freedom and dangerous liberty?" He was uttering a monition against legislative or executive invasion of the rights of the states, reserved to them under the Constitution, and to be "guarded and protected" by the Supreme Court. He meant what a Governor of a great state, afterward President of the United States, meant when seven years ago he made a vehement plea for respecting state rights and unapologetically denounced government by "commissions and regulatory bodies and special legislation." The Governor warned that:

"To bring about government by oligarchy—maneuvering as democracy—it is fundamentally essential that all authority and control be centralized in our national government. We are safe from the danger of any such departure from the principles on which this country was founded just so long as the individual home-rule of the states is scrupulously preserved and fought for whenever they seem in danger." This was Franklin D. Roosevelt, now President, who stated with one of the "biased" wet-nurses

history of the country has this nation more nearly approached the situation thus deplored? With Federal regulation bodies in every community of the states and Federal control of the Washington bursting the bounds of marble palaces and overflowing into business houses and private homes, and with the states required supinely to submit their legislative statutes to the approval of bureaucratic boards here before they can get back a pittance of the prodigious sums picked from the pockets of their people in the form of taxes and fees, as well as the security and independence of private enterprise, are fast disappearing.

Defines the "Real Crisis."

With private property seized at will; the courts openly reviled; rebellion rampant against good order and peace of communities; lawless government playing with mobocracy, instead of mastering it, we seem to have reached that period of peril which Gov. Roosevelt visioned seven years ago. There would have been no such contrived or connived at, by government, is the real crisis which faces the nation and cannot be cured by degrading the Supreme Court of the United States. "What a packing scheme signify if it does not reflect the fury of its proponents against the Supreme Court of the United States for certain of its recent decisions hearing the rights of the states and individuals and private business under the law and prohibiting the proposed invasion of these ill-digested congressional legislation, largely devised by inexperienced and incompetent academicians? That is precisely what it is all about. Had the judicial decisions sanctioned these rankly unconstitutional measures, who believes there would have been any restrained abuse of the court and this unprecedented attempt to flank the Constitution by putting on the bench six judicial wet-nurses to suckle the substance out of the opinions of the just and spirit of independence keeps pace with their profound knowledge of the law.

That the purpose of the court project has accurately been stated by me is longer in a serious question. The President in his message to Congress implicitly conceded the proposition when he said if given legislative sanction for this trying and dangerous enterprise, he would be no necessity of appealing to the people to amend their Constitution as to authorize the things for which the Supreme Court had said there is now no authority, as well, perhaps, as unmentioned schemes of "unfettered" delegation of legislative power. That can mean nothing else than that it was then the executive determination to select six they propose to revive and render valid by the votes of the six new Justices whom the country is assured will be selected for their "bias." One of these acts, which lost American farmers their export markets and necessitated the importation of foreign foodstuffs to feed our own people, was nullified by two-thirds of the Supreme Court; but by adding to the minority the six "biased" votes to be packed into the Court, this decision may be overridden.

Decision on the N. R. A.

Another of the acts, voided by a unanimous vote of the Supreme Court and proposed to be revived for reversal, would severely test the persuasive powers and great legal attainments of the six "biased" Justices, since it is difficult for votes to subvert nine, no matter what the disparity of ages. All nine Supreme Court Justices threw out the so-called N. R. A. as an "unfettered" delegation of power, as it was an assumed thrust of Federal jurisdiction into every conceivable private business of the country. Among its other vices it actually suspended for a period the laws of the nation against the depredations of monopoly and confided to executive discretion, under a hateful species of coercion, involving fines and imprisonment, the fate of every business enterprise in the United States. Its administration was confined to a man, long a respected friend of mine, of unsurpassed accomplishments, with no selfish interest whatsoever to subvert; but in circumstances he was as ruthless and harsh as human nature ever gets. The act and its administration created a reign of terror in the country; and everybody except the large industries which profited by the enforced failure of the smaller haled the decision of the Court with satisfaction.

We are told this is to be revived, along with the Guffey coal bill of somewhat a like nature, also declared unconstitutional by the Supreme Court; and I am wondering if we are to witness the same sort of organized propaganda in their behalf as distinguished one oracle of the N. R. A. in March, 1935. When mentioned one of the "biased" wet-nurses

of the Supreme Bench. In his first speech this man impudently denounced every American citizen as a "slacker" who should not volunteer obedience to the N. R. A. He urged the women of the country to pin white feathers on every person who would not willingly co-operate with enforcement; thus he would have put a badge of disgrace on all men and women who would not submit to the atrocious exactions of an act of Congress which all wise judges of the Supreme Court, young and old alike, pronounced unconstitutional. The effrontery of this attempt to terrorize the people was in no degree abated by the fact that this valiant propagandist, now conspicuously pictured as one of the probable selections for the Supreme Court bench, sat in a swivel chair during the whole period of the World War, never hearing a percussion cap pop or sensing the smell of gunpowder or getting near enough to a training camp to learn the difference between "order, arms" and "forward march." With Jacobins of this type constituting the wet-nurse section of the Supreme Court, what an era of peace and contentment could the American people confidently anticipate with the revival of the N. R. A. and kindred vagaries of the brain-truster variety!

What other and how many peculiar schemes of government are to be presented for substantive legislative action in confident expectation that they will meet with the favor of the "biased" half dozen who are to adorn the bench, is left to our imagination, because not exactly specified in the proclaimed program. We are simply given to understand that the President has a "mandate from the people" to so reconstitute the Supreme Court as to have it sanction whatever the White House proposes to an agreeing Congress, particularly if it involves no "check upon unauthorized freedom," to quote Grover Cleveland again, or "restraint on dangerous liberty."

"No Such Mandate From People." But we know there has been no such mandate from the people to rape the Supreme Court or to tamper with the Constitution. The Constitution belongs to the people. It was written by great representatives of the people, chosen for the purpose, and was ratified by the people as the supreme charter of their government, to be respected and maintained with the help of God. With the consent and by mandate of the people

their Constitution provides how it may be amended to meet the requirements of the ages. It has always been so, and no administration in the history of the republic has attempted to flank the Constitution by a legislative shortcut so vividly denounced by Woodrow Wilson as "an outrage upon constitutional morality."

The people were not asked for any such mandate. They were kept in ignorance of any such purpose. They were told that the liberal aims of the President could very likely be achieved within the limitations of the Constitution; and if not, we would suggest to the people amendments that would authorize such certain things to be done. When once it was intimated by political adversaries that the Supreme Court might be tampered with, the insinuation was branded as a splanetic libel. No word in the platform of the prevailing party could be interpreted into advocacy of any such abnormality as that now in issue. Quite the contrary, every platform declaration on the subject gave promise of the customary constitutional procedure. But somebody badly advising the President was evidently afraid of the people. The Attorney-General apparently feared to "ask a mandate from the people" for his wretched scheme, defended so weakly in reason as to invite expressions of contempt. Convinced by his own official reports of inaccurate assertions about congestion of the Supreme Court calendar, and now flatly contradicted on this and other points by the Chief Justice and associates, there is nothing left of his bitter assault on the Court more notable than the brutal contention that six eminent members "get out" and give place to six others of a compliant type, in the selection of whom the Department of Justice would probably have a cunning hand. Of course, the proposal being discussed will not contribute to the efficiency of the Court. It will do in this case particularly what Thomas Jefferson pungently deplored when he declared "the multiplication of judges only enables the weak to outvote the wise." The fact is their proposed bill will cure none of the alleged evils which offend their ideas of judicial reform.

Why should we not proceed, as in honor we are bound to do, by first contriving legislation for social and economic security, painstakingly drafted by competent lawyers with a clear conception of the constitutional prohibitions against invading the rights of business and individuals by a species of confiscation and by utter indifference for reserved powers of the states? Why should we not quit legislating by pious preambles and conform our enactments to the requirements of the Constitution and thus put upon notice the cabal of amateur experimenters that we will have no more of their trash. Let us have no more bills for "unfettered" delegation of authority, so obviously unconstitutional as to have prompted the President to make an unhappy appeal for disregarding all "reasonable doubts." Let us meet the issue confidently, but with a determination to promote the general welfare of the nation and not merely the surrender control of the Government to special groups.

If it then be found that we are mistaken in the expressed belief that the Constitution is ample to our purposes, let us do what we promised to do and appeal to the people to amend their supreme law. Let the impatient proponents of the pending scheme turn to the advice of George Washington in his famous farewell address in which he admonished against disregarding "reciprocal checks in the exercise of political power," saying: "If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way in which the Constitution designates. But let there be no change by usurpation; for though this one

instance may be the instrument of good, it is the customary weapon by which free governments are destroyed."

Let those who would confide in the President complete control over the Supreme Court by sanction of an obedient Congress read the farewell address of Andrew Jackson in which he cautioned the country against the jeopardy to their liberties of a consolidated government and the evil consequences of "permitting temporary circumstances, or the hope of better promoting the public welfare, to influence, in any degree, our decisions upon the extent of the authority of the general government. Let us abide by the Constitution as it is written," he urged, "or amend it in the constitutional mode if it be found defective."

And, in this connection, it might be well for the proponents of this court-packing scheme, who started their campaign by taking the name of Thomas Jefferson in vain, to remember that Jefferson's bitterness against the Supreme Court was provoked by the very thing they now advocate. Jefferson condemned the court for its failure to avoid the unbribeable actions of Congress in invading the rights of the states, whereas the court-packers are incensed against the court for restricting the unconstitutional actions of Congress in disregarding individual and community rights. Their position is in sharp antagonism to that of Jefferson, who never dreamed of packing

the Supreme Court to con-

ditione to this views. Jefferson thought as Wilson afterward put that such a thing involved institutional immortality. An "Indispensable Person" venture to beg the people to be diverted from the sun involved in this contesting the court's national authority to void Congress is idle surplusage. The court has exercised this power for 130 years. It regarded as an indispensable person in Government written constitution. The Supreme Court is a supreme tribunal, every citizen, high or rich or poor, may appeal vindication of his rights preservation of life, liberty and property. Long before the Supreme Court was established principle was presented by Chief Justice John Marshall, with respect to Parliament and decrees of the Crown. It is a waste of time now this and other questions not touched in the most sense by the proposition. Under the up to Congress, prepare knows whom, the six Justices would exercise power to rule final acts of Congress; and a gorous circumstance fact

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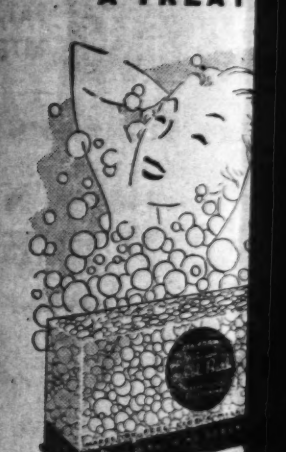
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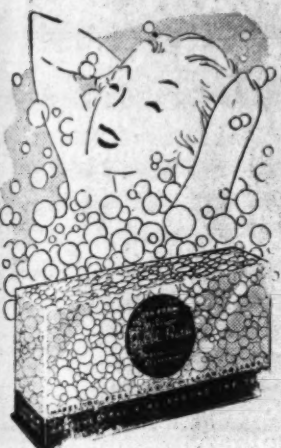
Text of Senator Glass' Speech

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the Supreme Court to compel obedi-
ence to his views. Evidently
Jefferson thought, as Woodrow
Wilson afterward proclaimed,
that such a thing involved "con-
stitutional immorality."
An "Indispensable Power."
I venture to beg the public not
to be diverted from the real is-
sue involved in this controversy.
Contesting the court's constitu-
tional authority to void acts of
Congress is idle surplusage. The
court has exercised this implied
power for 130 years. It has been
regarded as an indispensable
power in Government under a
written constitution. There must
be a supreme tribunal to which
every citizen, high or humble,
rich or poor, may appeal for the
vindication of his rights and the
preservation of life, liberty and
property. Long before the Su-
preme Court was established this
principle was presented by Chan-
cellor Wythe, Jefferson's law
teacher, with respect to acts of
Parliament and decrees of the
Crown. It is a waste of time to
discuss now this and other moot
questions not touched in the re-
mote sense by the pending
proposition. Under the bill sent
up to Congress, prepared by God
knows whom, the six substitute
justices would exercise the estab-
lished power to rule finally on the
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gerous circumstance faces the na-

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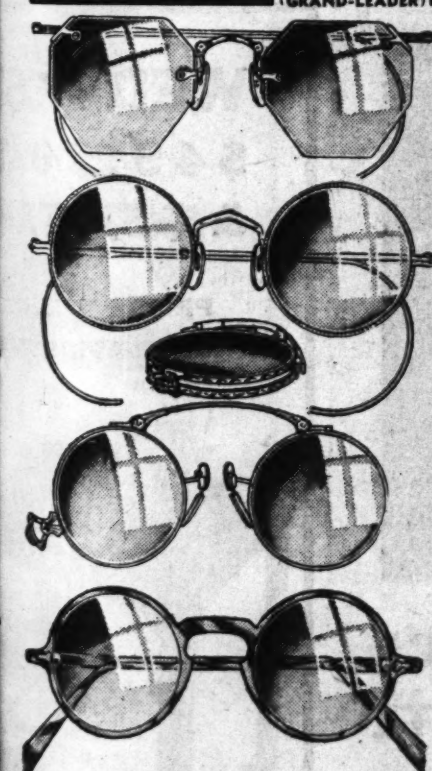
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tion that we know pretty well in
advance what their rulings would
be. The question of majority or
other numerical decisions is not
comprehended in the White
House proposal, nor the right of
Congress to review and reverse
the court's decisions. The pre-
dominant question is whether the
practice of a century under an in-
dependent judiciary is to be
abruptly terminated by author-
izing the President to seize the
court by the process of packing
in order to compel agreement
with the executive views. Should
this be done without "a mandate
from the people?" Should the
people be ignored and, without
asking their consent in the usual
way, submit helplessly to having
their Constitution tortured into
meanings which have been de-
clared in contravention of the
fundamental law? If Andrew
Jackson was right in asserting
that "eternal vigilance by the
people is the price of liberty,"
God knows that never before
since the establishment of the re-
public could the people better be
warned to preserve their price-
less heritage. The talk about
"party loyalty" being involved in
the opposition to this extraordi-
nary scheme is a familiar species
of coercion. It is sheer poppy-
cock. No political party since the
establishment of the Government
ever dared make an issue of pack-
ing the Supreme Court. But a
single one of the Presidents of
the United States was ever ac-
cused of doing such a thing, and
the mere suspicion, however ill-
founded in truth, has proved a
taint upon his reputation which
his memorable military achieve-
ments have not been able entire-
ly to wipe away. Moreover, his
alleged offense was inconsequen-
tial in contrast with that which
now threatens the nation. As
Warren says in his history of the
Supreme Court: "To the pro-
posal advanced at various times
of intense party passion, that the
court be increased in number to
overcome a temporary majority
for or against some particular
piece of legislation, the good
sense of the American people has
always given a decided disapprov-
al." And as James Bryce in his
"American Commonwealth" says,
"Whenever such a thing should oc-
cur 'the security provided for the
protection of the Constitution is
gone like a morning mist.' Thom-
as Jefferson in a single sentence
comprised the unalterable detes-
tation of honest men for the
packing of the court when he
said: 'It is better to tear up
cross and pile in a cause than
to refer to a Judge whose mind
is warped by any motive what-
ever in that particular case.'"
Later he wrote: "An officer who
selects Judges for principles
which necessarily lead to con-
demnation, might as well take his
culprits to the scaffold without
the mockery of trial." This Jef-
ferson said of packed juries.
How infinitely worse would a
packed Supreme Court, albeit in
one case the penalty is impris-
onment and in the other the un-
iversal abhorrence of mankind!

British Star Chamber.
I have said this proposal to
pack the Supreme Court is with-
out precedence in American
jurisprudence and that we must
go back for a corresponding
scheme to the infamous processes
of the British star chamber.
Macaulay gives us the incident.
When the King wanted a servile
court to sanction his purposes,
contrary to decisions rendered,
he summoned the Chief Justice
to the Palace and told him
pre-emptorily that he would be
dismissed unless he changed his

opinions. "Sire," said the cour-
ageous Chief Justice, "my position is
of little concern to me, since I
have not many years to give; but
my convictions are of vital im-
portance, and I am humiliated to
find that Your Majesty could
think me capable of altering my
mind merely to retain my
place!" The Chief Justice then
bravely admonished his kingly
master: "Your Majesty may find
12 Judges of your mind, but
hardly 12 honest lawyers." Need-
less to say the Chief Justice was
dismissed, just as the offending
members of the Supreme Court
have been rudely told to "begone"
if they do not relish the proposed
mortification of being supplied
with six judicial wet-nurses; and
well might any one or all of these
eminent jurists, in imitation of
that fearless Englishman, say to
the appointing power: "You may
find six Judges of your mind,
but not six constitutional
lawyers." Should the iniquitous
scheme go through, the intel-
ligence and character of the na-
tion will be interested to know
what lawyer of notable attain-
ments or independent spirit would
be willing to go on the Supreme
Court bench in such circum-
stances or could regard such an
appointment as an honor. Doubt-
less there are practitioners eager
for such recognition; but are they
men whom the nation would pre-
fer or who could feel comfort-
able in association with those
now constituting the Court. I
am but an unlearned layman, un-
trained in the ethics of the legal
profession; nevertheless, I can
not escape the conclusion that
any man of approved sensibility
who should accept such a distinc-
tion would experience trouble in
outliving the mistake. Moreover,
I have a distinct premonition
that the people of America would
not confidently trust to the su-
preme decision of such a court the
life, liberty and pursuit of hap-
piness guaranteed by the Con-
stitution.

I am far from intimating that
the President of the United
States is incapable of selecting
suitable men for the Supreme
Court. I am simply accepting
his own word and that of his
spokesmen to the effect that he
wants men "biased" in behalf
of his legislative and administra-
tive projects, who may be counted
on to reverse the Supreme Court
decisions already rendered and
give such other decisions of policy
as may be desired. This is not
my view alone; it is the con-
clusion of millions of alarmed
citizens throughout the nation.

Real Friends of the President.
The assumption of the propo-
sents of this scheme to tamper
with the Court and the Constitu-
tion that only they are the Presi-
dent's real friends, has no justifica-
tion in fact. He is not a friend
of the President who would sub-
ject him to the biting indictment
which Rudyard Kipling applied
to a famous autocrat who
answered a petition from his
people with the imperious asser-
tion that—"this is my country.
These are my laws. Those who
do not like to obey my laws
can leave my country." Wrote
Kipling:

"He shall break his judges if
they cross his word:
"He shall rule above the law,
calling on the Lord,
"Strangers of his counsel,
hirelings of his pay,
"These shall deal out justice:
Sell—deny—delay.
"We shall take our station, dirt
beneath his feet,
"While his hired catpains jeer
us in the street."
Rather is he the real friend
of the President who will command
to his serious attention the ring-
ing words of Thomas Jefferson
when he proclaimed himself
"against writing letters to
judiciary officers," because he
"thought them independent of the
executive, not subject to its
coercion and therefore not obliged
to attend to its admonitions."

In conclusion, my friends, let me
press upon you the solemn
warning of a world-renowned
student of representative govern-
ment, John Stuart Mill, when he
said:
"A people may prefer a free
government; but if from in-
dolence, or carelessness, or cow-
ardice, or want of public spirit,
they are unequal to the exertions
necessary for preserving it; if
they will not fight for it when
directly attacked; if they can be
deluded by the artifices used to
cheat them out of it; if by
momentary discouragement, or
temporary panic or a fit of en-
thusiasm for an individual, they
can be induced to lay their lib-
erties at the feet of even a great
man, or trust him with powers
which enable him to subvert
their institutions—in all these
cases they are more or less unfit
for liberty."

Abraham Lincoln at Gettysburg
thought the Civil War was a test
of whether "government of the
people, by the people, for the
people" should perish from the face
of the earth. Just as profoundly
are some of us convinced that no
threat to representative demo-
cracy since the foundation of the
republic has exceeded in its evil
portents this attempt to pack the
Supreme Court of the United
States and thus destroy the purity
and independence of this tribunal
of last resort.

Pipeline Tax Hearing Postponed.
By The Associated Press.
WASHINGTON, March 30.—The
Supreme Court granted yesterday
a motion of the Attorney-General
of Missouri and put over until the
next term arguments on the Phil-
lips Petroleum Co. attack on the con-
stitutionality of the State fran-
chise tax law. The State sought to
exact \$11K levy from the company
for the privilege of doing business
in Missouri in 1954.

We're having dinner
downstairs to be there
on time... it's a
double break for
housewives!



it's
SONNENFELD'S
for furs

I'm meeting the wife
at 6 o'clock at Son-
nenfeld's... this is
MY idea of GOOD
INVESTING!



It takes SONNEN-
FELD'S to come to
the aid of the work-
ing girl. I'll be there
after work!



Pay as Little
as \$7 Down

Balance in Monthly
Payments... Credit
Terms at Sonnenfeld's
Are Made To Suit
YOU. (Small Carry-
ing Charge.)

Drive Down Wednesday
Nite...
Meet Your Husband...
Your Friends...
Bring the Children...
BUT DON'T MISS THIS
SALE!

With True LEADERSHIP... SONNENFELD'S Plan This Great NITE Fur Sale Because It...

- Gives the Working Girl a Chance...
- Gives School Teachers, Nurses a Chance...
- Gives Husbands a Chance to Shop With Wives...
- Gives Parents a Chance to Shop With Daughters...

It's DRAMATIC... DIFFERENT... The
GREATEST VALUE SHOW in TOWN...
And TRUST SONNENFELD'S to Stage It!

A Tremendous Amount of Prepara-
tion Went Into This Event...
WITH TRIUMPHANT RESULTS!

The Most Spectacular FUR COAT SALE of Our Entire Career! Wednesday Nite, 6 to 10 P. M.

- \$195 Furs!
- \$175 Furs!
- \$149 Furs!
- \$129 Furs!
- \$99 Furs!
- \$89 Furs!

\$699

Our Buyers Were Kept on the Go for More Than Three Weeks... Securing Values Like These.
WE KNOW YOU'LL WANT TO BE HERE WEDNESDAY NIGHT TO TAKE YOUR PICK!

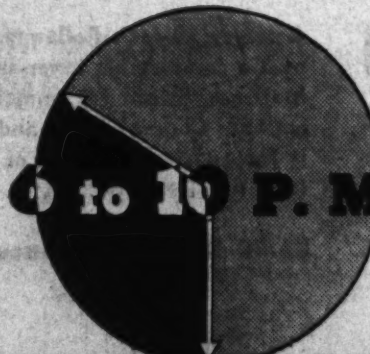
- | | |
|---|---|
| 2 Natural Fitch Swaggers — \$198 Values | 4 Black and Gray Kidskins — \$149 Values |
| 3 Natural Squirrel Swaggers, \$198 Values | 2 Eel Gray Caraculs — \$149 Values |
| 8 Marminks (mink dyed) — \$149 Values | 8 Krimmer Lambs — \$129 Values |
| 3 American Weasel Swaggers, \$175 Values | 9 American Broadtail (proc. lamb) |
| 3 Hudson Seals (dyed) — \$198 Values | with Kolinsky or Squirrel — \$99 Values |
| 4 Black Persian Lambs — \$198 Values | 4 Brown Persian Caraculs — \$149 Values |
| 22 Northern Seals (dyed) Swag., \$89 Values | 10 Brown, Gray Kid Caraculs, \$129 Values |
| 6 Bronze Caraculs — \$175 Values | 1 Dyed Fitch Swagger — \$198 Value |
| 2 Natural Gray Caracul Swag., \$198 Values | 4 Civet Cat Swaggers — \$99 Values |
| 3 Leopard Cat Swaggers — \$149 Values | 5 Black Kid Caraculs — \$149 Values |
| 1 Natural Leopard Swagger — \$198 Value | 24 Northern Seals (dyed) — \$89 Values |
| 10 Black Caraculs, Swagger | 4 Ombre Muskrat Swaggers, \$149 Values |
| and Princess — \$129 Values | 3 Brown Pony Toppers — \$149 Values |
| 2 Silvertone Muskrat Swag., \$149 Values | 1 Natural Fitch Princess — \$198 Value |
| 2 Cocoa Squirrel Swaggers — \$179 Values | 18 Blocked Lapin (dyed) — \$99 Values |
| 5 Black Caraculs with | 6 Natural Gray Moles — \$149 Values |
| Silver Fox — \$149 Values | 2 Dyed Fitch, Swag., Princ., \$129 Values |
| 21 Black Persian Caraculs — \$149 Values | 8 Twintone Lamb Swaggers, \$129 Values |
| 3 Assembled Squirrel Swag. — \$99 Values | 1 Nat. Eastern Mink Locks — \$198 Value |
| 6 Black Pony Swagger, Princ. \$149 Values | 1 Jap Mink Gill Swagger — \$149 Value |
| 1 Natural Otter Swagger — \$198 Value | |

On Sale Wednesday Nite, 6 to 10 P. M. ONLY

• SEE OUR
WINDOWS:
Every Coat will be re-
moved in time to be
put on sale at 6 o'clock.

• 125 SALES-
PEOPLE
Will be here to serv-
you.

• ENTIRE THIRD
FLOOR DE-
VOTED TO
THIS EVENT.



We know we could offer these 865 Fur Coats tomorrow morning at
9 A. M. ... and find them all gone by noon! Yes! they're THAT
wonderful. But this time (and in response to numerous requests
from patrons who have never been able to "get in on" these tremen-
dous value offerings) these 865 Fur Coat Values will be within reach
of EVERYONE. Make your plans now... be here when the sale
begins at 6 P. M. Wednesday nite... let nothing deter you... come
right after work... come with your husband... bring the children
if you must (we'll have a nurse here to care for them while you
make your selection) delay any dates, don't worry about dinner...
BUT MANAGE TO BE AT THIS FUR SALE!

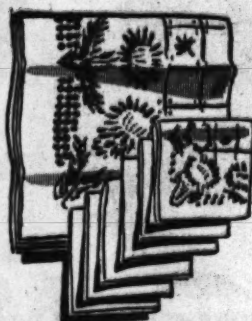


TEEN-AGE SHEER GOWNS

PASTEL VOILES, FLOWEDED BATISTE

Infinitely young styles with puff sleeves, strap shoulders and baby-ribbon trimming! Teen-Agers will cry for them in buttercup, soft pink or blue. Sizes 11 to 17 ——— **\$1.19**

(Teen-Age Undies—Second Floor)



\$2.98 7-PIECE BREAKFAST SETS

\$1.98

PASTEL COLOR CLOTH AND SIX NAPKINS

Lovely rayon-and-cotton Cloth and 6 Napkins, in green, ivory, yellow or peach with woven floral designs. Cloth 52x68 inches. (Second Fl. & Thrift Ave.)

WEDNESDAY IS THE LAST DAY TO BUY SALON FOOTWEAR REDUCED!

COPLEY AND CORINNE SHOES

EXCLUSIVE BRAND OF ASSURANCE
ORIGINAL \$6.75 TO \$12.75 ——— **\$6.95**

Discontinued styles in gabardine, kid and suede. Black, brown and gray. Limited quantity and not every size in every style!

ORIGINAL \$6 AND \$6.75 FOOTWEAR

RHYTHMSTEP, MODERNETTE, STYL-EEZ ——— **\$4.45**

Discontinued Spring Shoes in gabardine, kid, patent and suede. Black, blue, brown or gray. Not all sizes in the group.

JUNIOR - HI SHOES
ORIGINAL \$3.95 AND \$5.00

Rough Leather Oxfords, in white, blue or gray; and discontinued styles in Oxfords and Straps, in white buck, calf or patent. Sizes 3½ to 9. (Second Floor.) **\$3.33**



COLORFUL RAFFIA KNITTING BAGS



POPULAR LARGE SIZE AT A BUDGET PRICE!

Buy them for yourself, for gifts or for bridge prizes! Large Bags of gaily colored raffia in a variety of combinations. **\$1**

(Notions and Thrift Ave.)

\$ 8.45

6

IS THE VALUE-GIVING PRICE IN THIS GREAT

SALE OF NE DE MURA DRESS

PRINTED AND PLAIN SHEERS AND CREPES!

You'll be thrilled with these marvelous dresses! Tomorrow at 9 you'll hesitate between the brown chiffon and the St. James blue crepe... between the jacket print and the bolero sheer! At 9:15 you'll take them all because they're such phenomenal "buys!" Line... color... fabric... design... all are of first fashion importance! You'll want cape, jacket and bolero dresses! You'll love the solid colors and the light and dark ground prints. Sizes for misses, women and little women.

DeMura Dress Shop—Third Floor

SPECIFICAT PERFECTLY SIZED—NO 7-BUTTON FROM FIRST QUALITY OCEA BUTTONS FULL SQUARE T PRE-SHRUNK SHIR

OCTOBER NOV S M S 3 4 7 10 11 14 17 18 21 28

SUN « 7

BEIGE THISTLE AQUA ST. JAMES BLUE BLACK LUGGAGE TAN TOAST NAVY BLUE BROWN

SEVEN EXCITING VALUE EVENTS LAST



ACT! 9-PIECE 18TH CENTURY DINING-ROOM SUITES

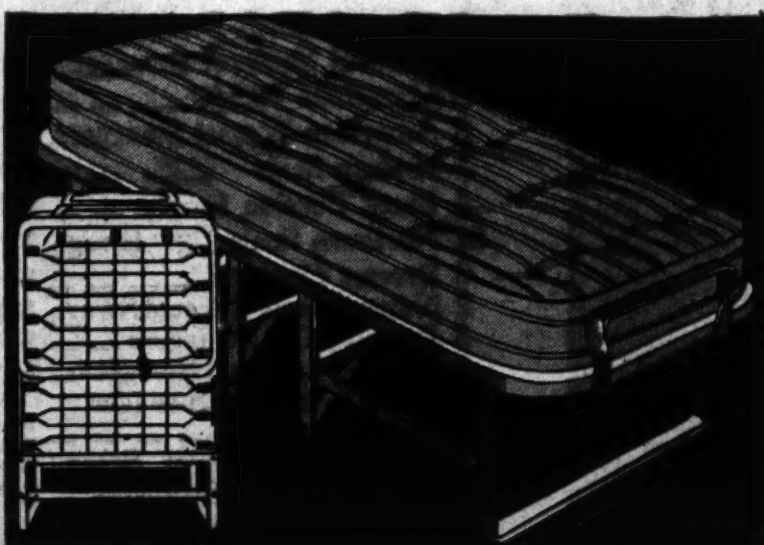
ONE DAY ONLY—ECONOMY FURNITURE SECTION!

Large buffet, full base china cabinet, Duncan Phyfe (mahogany) or G-leg (walnut) table with 1 host chair and 5 side chairs with slip seats upholstered in tapestry. Butt walnut or brown mahogany veneer.

\$99.50

10% DOWN—THEN PAY THE PENNY WAY

(Seventh Floor.)



\$16.95 ROLLAWAY BED AND INNER-SPRING MATTRESS

COMPLETE FOR WEDNESDAY ONLY AT A MERE

A large, 30-inch Rollaway Bed with a comfortable inner-spring Mattress, priced for immediate action! Choose it now and use it for guests, for porch or cottage use latter on.

\$10.98

\$1.00 DOWN—Balance Monthly—Small Carrying Charge

(Seventh Floor.)



SAVE \$50! FRENCH 2-PIECE \$197.50 LIVING-ROOM SUITE

SOFA AND CHAIR BOTH FOR ONE DAY ONLY AT

Consider the saving! Choose this smartly styled Sofa and tufted-back Chair Wednesday at this exciting sale price! Choice of freize, damask, velvet or brocatelle covers.

\$147.50

10% DOWN—THEN PAY THE PENNY WAY

(Seventh Floor.)

WEDNESDAY ONLY! \$49.50 WRITER & \$5 STAND FOR

PRICES WILL BE HIGHER APRIL FIRST

49.50



\$49.50 Remington "Streamline" Portable Typewriter, standard 1937 model (and carrying case) with latest features, including the "Self-correcting" paragraph key!

PLUS

Metal Typewriter stand, with 16x24-inch top and rubber rollers. This offer also includes \$1.50 Underwood or \$1.50 Corona Typewriter.

Calligraphy, Street Floor.) CARRYING CHARGE

\$2.50 DOWN, BALANCE

SEE OUR OTHER ANNOUNCEMENTS ON PAGE 5A

STIX, BAER & FULLER

CHARGE PURCHASES
made now will appear on April
Statements, payable in May.

6 MONTHS' PREPARATION!

TO ASSEMBLE THE FINE SHIRTINGS FROM
AMERICA'S LEADING MILLS FOR THIS

SHIRT SALE

HERE'S THE STORY

Short lengths of fine shirtings were collected from America's leading mills, at sacrifice prices, over a six months period—then carefully tailored to Stix, Baer and Fuller's rigid specifications. Tomorrow the entire lot of 10,000 will be on sale for the first time at a price that should cause a stampede! Buy plenty for now, buy for next Summer, but buy TOMORROW!

TATTERSALL CHECKS
CORONATION STRIPES
WINDOW PANE CHECKS

CANDY STRIPES
BRITISH STRIPES
CLIPPED FIGURES

AND PLENTY OF WHITE BROADCLOTHS

Sizes 13½ to 16; Sleeves 32 to 35

(Men's Store—Street Floor and Thrift Avenue.)

FOR PHONE ORDERS CALL CK. 9440



\$1.29
4 FOR \$5
MADE TO
SELL FOR
\$2 to \$3.50 EACH

SHIRTS OF EQUAL QUALITY IN FABRIC AND TAILORING
WOULD SELL REGULARLY AT COMPARATIVES QUOTED
—AT LEAST 20% ARE OF THE \$3.50 GRADE



SPECIFICATIONS

PERFECTLY SIZED—NO SKIMPING
7-BUTTON FRONTS
FIRST QUALITY OCEAN PEARL
BUTTONS
FULL SQUARE TAILS
PRE-SHRUNK SHIRTINGS

COLLAR STYLES

TRUBENIZED NON-WILT COLLARS
BUTTON-DOWN COLLARS
REGULAR POINT COLLARS
NECKBAND STYLES
SOFT SETUP COLLARS
KENT BUTTON-DOWN COLLARS

FABRICS:

LUXURIOUS BROADCLOTH
END AND END MADRAS
IMPORTED WOVEN MADRAS
CLIPPED FIGURED MADRAS
NOTTINGHAM SLUB WEAVES
VAN GLEVE SHAMBRAY
LONSDOWNE BASKET WEAVE
HILLEDAL OXFORD CLOTH
BRITISH NOVELTY PRINTS
EXCLUSIVE DOBBY WEAVES

5
VALUE-
IG PRICE
IS GREAT

FINE
DRESS

TED AND
N SHEERS
CREPES!

be thrilled with
arvelous dresses!
w at 9 you'll hes-
ween the brown
nd the St. James
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et print and the
sheer! At 9:15
ike them all be-
ey're such phe-
l "buys!" Line...
abric... design...
of first fashion
nce! You'll want
acket and bolero
ses! You'll love the
olors and the light
-k ground prints.
r misses, women
little women.

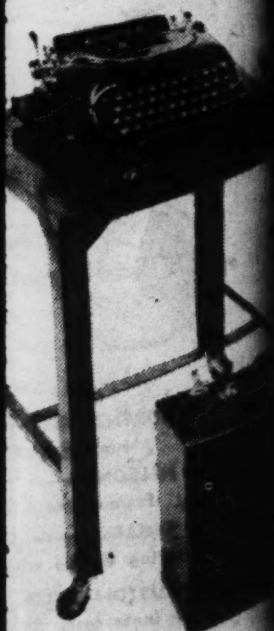
a Dress Shop—Third Floor

TS LANNED FOR WEDNESDAY ONLY!

WEDNESDAY ONLY!
\$49.50 TYPEWRITER
& \$5 STAND FOR

PRICES WILL BE
HIGHER APRIL FIRST

49.50

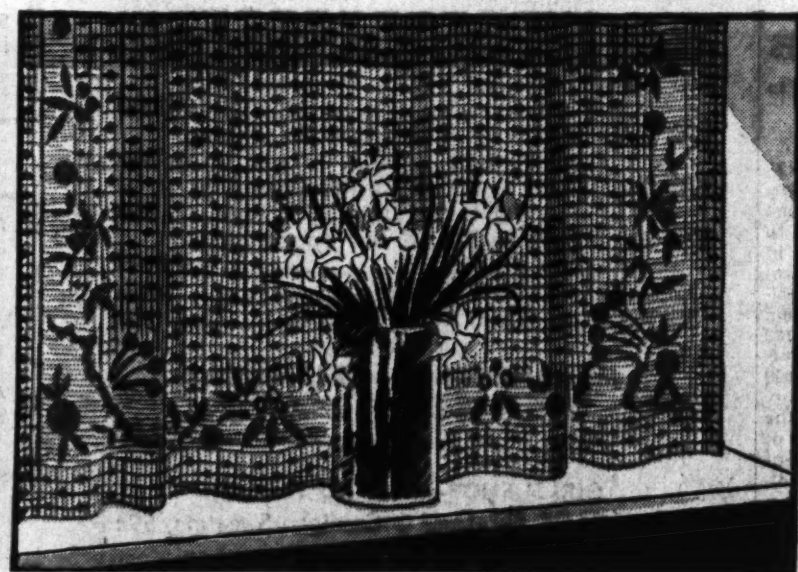


1935 Remington
"Pneumatic" Portable
Typewriter, standard
model (and carry-
ing case) with latest fea-
tures, including the "Self
Correcting" paragraph key!

PLUS

Metal Typewriter
with 16x24-inch
rubber rollers.
Also includes
Underwood or
Corona Type-

Carrying Charge



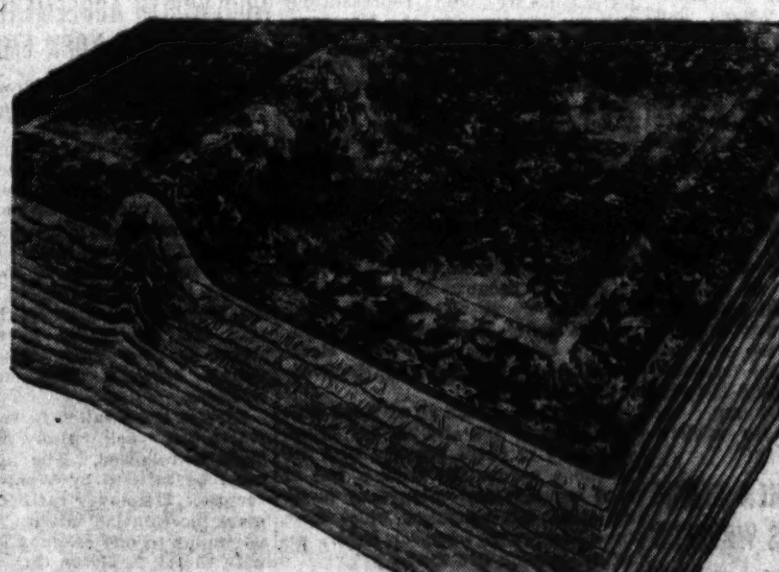
SAVE ON \$1.98 ECRU LACE
TAILORED PANEL CURTAINS

SPOTLIGHTED FOR ONE DAY ONLY AT

Dress up your windows for Spring! Choose these
Tailored Panels in attractive combination weaves
with plain or bordered designs. Ecru shade; with
tailored sides and bottom hem. 53 inches wide
and 2¼ yards long. Note the Savings!

\$1.39
EACH

(Sixth Floor and Thrift Ave., Street Floor.)



\$37.50-\$39.50 BROADLOOM
AND AXMINSTER 9x12 RUGS

TAKE YOUR CHOICE FOR ONE DAY ONLY AT

Popular Broadloom Rugs in plain tones of
Raisin, Burgundy, Rust, Briar and Taupe
... and Axminsters in small patterns and
copies of Orientals. All seamless and of
excellent quality. Save Wednesday!

\$25

10% DOWN—PAY THE PENNY WAY

(Sixth Floor.)



\$22.50—94-PC. DINNERWARE
SERVICE FOR TWELVE

EMBOSSED "LOTUSWARE" SETS, ONE DAY ONLY

Here's what you get: 12 each: dinner
plates, square salad plates, bread and
butter plates, cups, saucers, soup plates,
fruit dishes, and 1 each: casserole,
baker, pickle dish, sugar, creamer,
gravy boat and 2 platters decorated
with the lovely "Bridal Rose" pattern.

\$13.98

10% DOWN—THEN PAY THE PENNY WAY

(Fifth Floor and Thrift Ave., Street Floor.)

CIO CALLS STRIKE ON LANG-KOHN CO. COMPANY UNION

Garment Workers Charge
Concern Sponsors Or-
ganization With Labor
Spies as Officers.

PLANT PICKETED; 3 WOMEN ARRESTED

Only Non-Union Silk Dress
Factory in St. Louis, La-
bor Leader Perlestein De-
clares.

A strike was declared today at the Lang-Kohn Manufacturing Co., 1706 Washington avenue, by the International Ladies' Garment Workers' Union in protest against company unionism and the alleged use of industrial spies by the firm.

Meyer Perlestein, regional director for the international union, which is affiliated with the John L. Lewis Committee for Industrial Organization, said to Post-Dispatch reporters that 500-600 had been set aside by the union to carry on the strike. According to Perlestein, the company is the only non-union silk dress manufacturer in the city, 44 other firms having a collective agreement with the union.

Labor Spy Charge.
"This company has sponsored a company union and the Ahamer Detective Agency has supplied spies who have become officers of that union," Perlestein declared. "The campaign against organized labor has been carried on to the extent that labor spies, posing as union sympathizers, have been sent to Lang-Kohn employees at their homes and asked them if they would like to work in a union shop. If the employee showed an interest in joining a labor union, she was immediately discharged." Perlestein said some 150 employees had secretly joined the International Ladies' Garment Workers.

About 300 pickets, union members from all dress factories, began picketing the plant at 7 o'clock this morning. A squad of 25 policemen kept the women moving and on one occasion had to restrain pickets who sought to stop workers from entering the building. Several of the pickets kicked at the police during the scuffle.

Three women were arrested during the demonstration and booked at Carr Street Police Station on peace disturbance charges. They said they were Miss Ann Shannon, 2911 Hodiamont avenue; Mrs. Rose Ingrassia, 1810 Cass avenue, and Mrs. Helen Rotter, 3008 North Twenty-first street. They were released on bond.

Shortly after 8 o'clock the picket line dwindled as the demonstrators went to their jobs in other Washington avenue plants. The group remaining carried a single banner, which read as follows: "A. A. Ahamer, the strike-breaker, and his gang of spies must go."

115 Girls at Work.

A Post-Dispatch reporter, who visited the factory on the ninth floor, found about 115 girls at work. Joseph Kohn, secretary-treasurer, conceded the firm was the only non-union silk dress factory in the city and asked, "What of it?" Kohn said he had received no complaints from employees and exhibited poems praising the management, which he said were written by the workers. Kohn declared he saw no value in unionization and did not understand why the union was seeking to organize his employees. The company recently moved from 808 Washington avenue. Irving Lang is president.

The union is conducting another strike, at the Solomon Dress Co., 1508 Washington avenue, a cotton dress manufacturing firm. Demands for collective bargaining have been made to the Rico-Stitz Dress Goods Co., which operates three cotton dress factories, and to Lowenstein Manufacturing Co. Perlestein said he expected to confer with Rico-Stitz representatives this week. If no reply is received from the Lowenstein firm by tomorrow a strike will be called, Perlestein stated.

Wage Increases Granted St. Louis Woolworth Store Workers.

Agreements on wage and hour demands were signed last night between managing directors of Woolworth 5-and-10-cent stores in St. Louis and St. Louis County and American Federation of Labor representatives.

About 1500 employees in 33 stores are affected by the agreement, effective April 8, which provides increases ranging from 10 to 22 per cent for employees working on merchandise and lunch counters, and a 45-hour, six-day week. In addition, the following unions secured recognition as bargaining agents for their membership among the employees: Waitresses Union, No. 949; Cooks' Union, No. 26; and Retail Clerks' Local No. 655. C. Chamberlain, St. Louis manager of the company, said virtually all of the employees were included in the 1500.

Miss Kitty Amaler of the waitresses union said that the wage scales agreed on were the same as the prevailing scales for those unions in effect generally here, except that some waitresses in the Woolworth stores would receive a

BASING POINT PRICE SYSTEM RULED OUT BY TRADE BOARD

Federal Commission Issues Complaint Against
35 Firms Manufacturing Cast Iron
Soil Pipe.

By the Associated Press.

WASHINGTON, March 30.—The Federal Trade Commission declared today that the basing point system of standardizing prices used in several major industries.

The commission issued a complaint against 35 companies producing 90 per cent of the nation's cast iron soil pipe, and the Cast Iron Soil Pipe Association of Birmingham, Ala., charging that the industry's "Birmingham plus" system of prices violated the anti-trust law and the Robinson-Patman anti-price discrimination act.

The steel, cement, sugar and other industries have used the system. The commission said the system works so that regardless of where the pipe is manufactured, the "delivered" prices are equivalent to a base price fixed at Birmingham, Ala., plus the freight rate from Birmingham to the buyer's freight station, wherever located.

The commission contended pipe buyers in the vicinity of a manufacturer reap no benefit from the system. A Californian, for instance, could buy the same grade

higher weekly pay because of continuous work.

The agreement was submitted by the unions to the store executive here a week ago, and since then has been approved by executive officers in New York.

Miss Amaler said that negotiations would be sought today with the McCrory Stores Corporation, the S. S. Kresge Co. and Nelsner Bros. Inc.

Contracts were drawn up a week ago by American Federation of Labor representatives with the man-

agement of all leading 5-and-10-cent stores in East St. Louis.

Furniture Plant Strikers to Consider Settlement Proposal.
A proposal to settle the strike of 225 employees of the Meier & Pohlman Furniture Co., 1400 Palm street, with a wage increase of about 6 per cent, will be considered by a committee of strikers today, William Senter, CIO organizer, said to a Post-Dispatch reporter.

No agreement, however, has been reached on the strikers' demand for a 45-hour week, and the company's counter-proposal for a 50-hour week.

Sit-down strikers have been occupying the two plants of the company since the strike was called March 11.

FIRESTONE CO. DENIES SOLE BARGAINING RIGHT TO UNION

Reaffirms Willingness to Deal With Organized Members Only.

By the Associated Press.

AKRON, O., March 30.—President J. W. Thomas of the Firestone Tire & Rubber Co., closed by a prolonged strike, informed the United Rubber Workers of America yesterday that the company could not negotiate with the union on its demand for sole collective bargaining rights.

Thomas is vacationing in Florida with Harvey S. Firestone Jr., chairman of the board of directors. He wrote to Sherman H. Dalrymple, international president of the union, saying that negotiations on other demands must be taken up with W. R. Murphy, labor superintendent. Dalrymple had asked Thomas and Firestone to confer with the union directly after negotiations reached a deadlock.

The union, affiliated with the Committee for Industrial Organization, voted the strike March 11, affecting 11,500 employees. The No. 1 plant was closed a week previously because, a company statement said, "certain workers" were trying to force other workers to join their organization.

The union's demands for sole bargaining rights and abolition of the Employee Conference Plan, called a company union by the strikers, can not be recognized as "subjects for negotiation since they deal with the personal rights of our employees," the letter said.

75 SIT-DOWN STRIKERS ARE LOCKED IN AT ATLANTA

Company Bars Gates and Shuts Doors of Georgia Baking Plant.

ATLANTA, Ga., March 30.—About 75 locked-in sit-down strikers in the Stone Baking Co. plant planned negotiations with employers today, while the company prepared to seek an injunction to oust the strikers.

J. M. Austin, spokesman for the strikers, said the sit-down was started last night in protest against discharge of five employees for activity in the Bakers' and Confectionery Workers' International Union, American Federation of Labor affiliate. Joseph Hexter, president of the company, said the sit-down started after two truck drivers were discharged for "economic reasons" in favor of a commercial trucking arrangement.

The company barred the delivery gates and locked plant doors after telling the strikers to "make up your minds—stay in or stay out," Austin said. Those who stayed in included about 25 girls and women.

Hexter said the lock-in was an effort to keep outsiders from mingling with the strikers in the plant, which ordinarily employs about 55 persons.

Herman J. Schad, union organizer from New Orleans, said wages and hours were issues but this was denied by Austin.

Some observers said a compromise was likely in the Scottish strike because the workers were demanding only an increase of two cents an hour on wages of about \$15 weekly.

pipe from an Alabama manufacturer as cheaply as from a California producer.

The 35 companies named in the complaint are scattered from coast to coast.

A commission statement said the system compelled buyers to pay "artificially enhanced prices."

"Inasmuch as producers do not avail themselves of their competitive advantages, such as nearness to raw materials, means of transportation, proximity to large consuming populations, and financial strength and able management, the buying public loses the advantages of efficiency and economy in production and transportation which would result from price competition," the statement said.

Officers of the Cast Iron Soil Pipe Association named in the complaint are Wiley Alford of Atlanta, Ala., president; Harvey D. Ritter of Linfield, Pa., vice-president; James R. Hedges of Chattanooga, Tenn., treasurer; and J. W. Bouslog of Birmingham executive secretary.

They have 20 days to file answers.

SIT-DOWN IN RAYON PLANT IN VIRGINIA

Union and Company Representatives Deadlocked in Parley at Covington.

By the Associated Press.

COVINGTON, Va., March 30.—Employees of the Covington Industrial Rayon Corporation began a sit-down strike today after the management and the workers failed to agree on negotiations involving union recognition. More than 1000 union workers are employed, officers of the union said.

The strike was called after a deadlock had been reached in discussions extending over a period of several weeks on a list of demands made by the employees. The union leader said he offered to withdraw himself and the committee and substitute a Federal labor conciliator as the union representative.

Mr. Meisner flatly refused to deal with the union in any way, shape or form," Doherty said.

Doherty denied he had insisted on being present at a conference between the union committee and the management, or that he had demanded a closed shop. The worker leader said he offered to withdraw himself and the committee and substitute a Federal labor conciliator as the union representative.

Mr. Meisner flatly refused to deal with the union in any way, shape or form," Doherty said.

About 500 members met last night at Hibernal Hall and voted to call the strike unless the company recognized the union by 4 o'clock this afternoon. Meisner said today that 900 men were at work. Doherty stated that a check by the union showed there were only 743 shop employees, of which the union claims more than 600 as members. Doherty said the strike, if called, would be an outside demonstration.

The St. Louis Car Co. manufactures steam and electric railway equipment, busses and airplane parts.

RELIEF FOR NEEDY STRIKERS SOUGHT FROM CROSSLEY

Committee From St. Louis Goes to Jefferson City to See State Administrator.

By the Associated Press.

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STUDENT STRIKERS PARADE

Young Mexicans Carry Youth's Body in Protest.

By the Associated Press.

MEXICO, D. F., March 30.—Three thousand striking students paraded the streets yesterday carrying the body of one of their number whose death they charged was due to "criminal negligence" of school authorities.

The charge was made against the Public Beneficence Society which operates three schools in which students have taken the lead in the widespread student strike. The body, in a coffin, was that of Margarita Solana Flores, killed when he fell from the roof of one of the school buildings last week.

The League of Juvenile Socialists, which helped organize the strike, repeated its demands that the Beneficence Society allow the students to run the schools themselves. Newspapers said the strikers were trying to set up "student Soviets" in the society's three schools.

STRIKE THREATENED AT ST. LOUIS CAR CO.

CIO Organizer Interprets
Meisner's Stand as Refusal
to Deal With Union.

Union employees of the St. Louis Car Co., 3000 North Broadway, were scheduled to go on strike today for union recognition.

The strike, if it develops, will be the first walkout of importance here in the campaign of the Steel Workers' Organizing Committee to organize employees of steel and kindred plants in this district. The Steel Workers' Organizing Committee is identified with the John L. Lewis Committee for Industrial Organization.

A committee of employees, acting under instructions of the union membership, which met last night, called this morning on Edwin B. Meisner, president and general manager, and requested a meeting with the committee and a representative of the CIO union not later than 4 o'clock this afternoon.

Meisner's Stand.
Meisner said he informed the committee members that the company was always ready to meet with a committee of workmen, which would be chosen by the workmen themselves. John Doherty, organizer for the Steel Workers' Organizing Committee, told the Post-Dispatch the committee interpreted Meisner's answer as a refusal to deal with the union.

Meisner, in a statement to the Post-Dispatch, said: "I had a two-hour conference with Mr. Doherty last Thursday and a long telephone conversation with him yesterday, making it clear to him that we are willing and ready to meet with representatives of our own employees to collectively discuss any matters they desired to talk over with us. Mr. Doherty made it clear that such a meeting without him could not be held, and that before any questions could be discussed, recognition of the union and a closed shop would have to be agreed to."

Denial by Doherty.
Doherty denied he had insisted on being present at a conference between the union committee and the management, or that he had demanded a closed shop. The worker leader said he offered to withdraw himself and the committee and substitute a Federal labor conciliator as the union representative.

Mr. Meisner flatly refused to deal with the union in any way, shape or form," Doherty said.

About 500 members met last night at Hibernal Hall and voted to call the strike unless the company recognized the union by 4 o'clock this afternoon. Meisner said today that 900 men were at work. Doherty stated that a check by the union showed there were only 743 shop employees, of which the union claims more than 600 as members. Doherty said the strike, if called, would be an outside demonstration.

The St. Louis Car Co. manufactures steam and electric railway equipment, busses and airplane parts.

RELIEF FOR NEEDY STRIKERS SOUGHT FROM CROSSLEY

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THREE DETROIT PLANTS CLOSED BY SIT-DOWNS

Union Recognition Demanded
in One—Other Strikes Are
Over Dismissals.

By the Associated Press.

DETROIT, March 30.—Three more industrial plants were closed today by sit-down strikes while police investigated a new incident of violence in a strike of taxicab drivers that began last week.

The new strikes were in the plants of the Solway Process Co., the National Stamping Co. and the Buell Die and Machine Co.

Seventeen men in the Solway plant shut off the power and began a sit-down strike last night. Later they completed processes already underway to prevent loss of materials and damage to machinery. The Solway company employs 300 men.

Seventy-five policemen, who investigated a report that non-employees had taken over the plant, withdrew after ascertaining that only present or recently discharged employees were in the plant.

Employees who are members of the United Automobile Workers of America said that 60 men who were active in the union had been dismissed within the last two weeks. Raymond E. Ekum, general superintendent of the company, said that a seasonal slump in production necessitated the laying off of some workmen.

Fourteen members of the night shift began a sit-down strike last night in the National Stamping Co. plant, spokesman said the strikers demanded union recognition. The company has 800 employees.

The strike at the Buell Die and Machine Co. plant involved about 25 men. They said the company violated a recent agreement by discharging union shop stewards.

The violence in the taxicab strike occurred at 1:10 a. m. when Henry Hendrian, a driver, notified police that 10 men in a cab, slashed the cushions and smashed the meter and speedometer.

CANADIAN RAILWAYS, UNIONS ANNOUNCE WAGE AGREEMENT

Ten Per Cent Pay Cut to Be Eliminated Progressively in 1938.

MONTREAL, March 30.—(Canadian Press)—Railway and union heads announced yesterday "an amicable settlement" of their wage dispute, providing for ending of 10 per cent wage cuts by March 31, 1938.

The announcement was made after a conference among railway officers and representatives of employees who had given union leaders power to call a strike if their demands for restoration of wages were not met.

"The agreement between the 18 labor organizations and the railways (Canadian Pacific and Canadian National)" was a joint statement issued, "provides for the removal by progressive steps of the entire 10 per cent wage deduction within a period of 12 months from April 1, 1937."

The report of a majority of a conciliation board published Feb. 2 recommended that the 10 per cent wage cuts be lowered to 9 per cent Feb. 8, 8 per cent not later than Nov. 7, and 7 per cent not later than Nov. 1. If the railways' revenue exceeded certain figures, the reductions in the wage cuts were to be enlarged.

Workers refused to accept the majority finding and union leaders polled 117,000 workers for power to call a strike.

WOOLWORTH AGREEMENT WITH NEW YORK EMPLOYEES

\$15.00 Minimum Wage Promised in Effort to End Sit-Down Strikes.

By the Associated Press.

NEW YORK, March 30.—The F. W. Woolworth Co. and the Department Store Employees' Union reached an agreement last night designed to prevent further sit-down strikes in 6 and 10-cent stores in the metropolitan area. Mrs. Clara Michael, general organizer for the union, said the agreement covered 125 stores in New York City and affected between 4000 and 5000 workers.

Strikes were called in two of the stores last week. Mass arrests of strikers followed. The agreement must be ratified by Woolworth directors. Employees ratified it at a mass meeting last night. The pact is similar to one reached last week with the H. L. Green Co. operators of the F. and W. Grand Stores. It provides for reinstatement of 100 employees still on a sit-down strike in a Manhattan and a Brooklyn store, a minimum \$15.00 weekly wage, and a 45-hour week.

M'GRADY ON LABOR UNREST

Official Says Recognition of Collective Bargaining Is Solution.

By the Associated Press.

WASHINGTON, March 30.—Assistant Secretary of Labor Edward F. McGrady said last night on the radio that conflict over labor's effort to win recognition "will be the cause of much future trouble unless a remedy is found."

The major causes of labor unrest and disputes, he said, "could be eliminated if by Government sanction, as many other nations have done, or by voluntary agreement between industry and labor, we would give labor the full right to organize and the right to be recognized for collective bargaining covering wages, hours and working conditions."

Kline's
406-48 Washington Ave. Time to 6th St.
fashion shops

All Sales Final!
No Exchanges!
No Credits!

Charge Purchases
Payable in May.

Month-End Sale.

EVERY DEPARTMENT HAS DRASTICALLY REDUCED ITS STOCKS
FOR FINAL CLEARANCE! UNUSUAL VALUES EVERYWHERE!

DRESSES—FOURTH FLOOR

14 Reg. \$12.95 Printed Crepe Dresses — \$ 4.00
6 Reg. \$14.95 Beige Crepe Dresses — \$ 6.00
12 Reg. \$14.95 High-Shade Street Dresses, \$ 5.00
8 Reg. \$10.95 Short Sleeve Crepe Dresses, \$ 3.00
7 Reg. \$12.95 Black Crepe and Print Dresses — \$ 4.00

18 Reg. \$10.95 High-Shade Crepe Dresses, \$ 4.00
4 Reg. \$22.95 Chiffon Dinner Dresses — \$ 6.00
5 Reg. \$16.95 Black Crepe Street Dresses, \$ 6.00
5 Reg. \$22.95 Pink Satin Formal — \$ 6.00
9 Reg. \$16.95 Black Taffeta Formal — \$ 6.00
13 Reg. \$12.95 Crepe Afternoon Dresses — \$ 3.00
10 Reg. \$49.95 Black Chiffon Formal — \$ 5.00
12 Reg. \$29.95 Nail Head Trimmed Crepe Dinner Dresses — \$ 5.00

8 Reg. \$39.95 Red Crepe Street Dresses, \$ 6.00
4 Reg. \$16.95 Beige Wool Jersey Dresses, Two-piece — \$ 6.00
5 Reg. \$16.95 Rust Wool Jersey Dresses, \$ 6.00
9 Reg. \$16.75 Black Crepe Street Dresses, 14 — \$ 7.00

3 Reg. \$22.75 Brown Crepe Afternoon Dresses, 16 — \$ 7.00
7 Reg. \$19.95 Navy Crepe Street Dresses, 16 — \$ 7.00
3 Reg. \$22.95 Rust Crepe Afternoon Dresses, 16 — \$ 8.00
9 Reg. \$16.75 Black Crepe Jacket Dresses, 16 — \$ 8.00

12 Reg. \$19.95 Black, Navy, Brown Crepe Street Dresses, 12-20 — \$ 8.00
5 Reg. \$22.75 High-Shade Crepe Afternoon Dresses, 12-20 — \$ 9.00
7 Reg. \$19.95 Black and Navy Afternoon Dresses, 14-18 — \$ 9.00
12 Reg. \$22.75 Green, Brown and Black Street Dresses, 14-20 — \$10.00
6 Reg. \$19.95 Black Afternoon Crepe Dresses, 12-18 — \$10.00

COATS—THIRD FLOOR

33 Reg. \$49.95 to \$99.50

WINTER COATS \$25

Trimmed with Skunk, Persian, Kit Fox, Kolinsky, Squirrel, Fitch, Wolf! Also untrimmed sports coats of soft fleeces. Sizes for Misses and Women.

3 Reg. \$49.95 Black Coats with Persian, 14-16 — \$ 6.00
14 Reg. \$19.95 Two-Piece Suits — \$ 6.00
16 Reg. \$59.95 Camel Shags, Camel Hair Silva Chilla, Tweed Coats, \$25.00
16 Reg. \$29.95 Untrimmed Sports Coats — \$ 6.00

ACCESSORIES—STREET FLOOR

70 Reg. \$2.98 and \$3.98 Crepe, Jersey Satin Blouses — 39c
39 Reg. \$5.98 to \$7.98 Crepe, Lame, Satin Blouses — 99c
29 Reg. \$2.98 Suede Bags — 29c
132 Reg. \$5 to \$12.98 Suede and Calf Bags, \$1.99
175 Reg. \$2.98 to \$5.98 Imported Kid Gloves — \$1.00
193 Reg. \$1.00 to \$1.25 Fabric Gloves, broken sizes — 39c
210 Reg. \$1.98 to \$3.98 Cardigan and Slip-Over Sweaters — 59c

87th ANNIVERSARY Sale

FOUR MORE DAYS—STORE-WIDE OFFERING OF FINE QUALITY MERCHANDISE

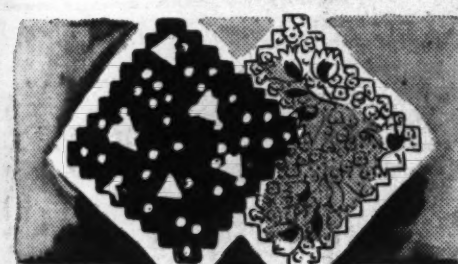


50c Glacier Crepe
Knitting YARNS

3 for \$1.00

A large range of colors for your selection. Gorgeous quality for knitting frocks, blouses, jackets.

Best Quality Scotch Utopia Knitting
Worsted in variety of colors, 3 3/4 oz. 54c
\$1.25 20-inch Imported Needlepoint Pieces,
ready for the fill-in work. Now 87c
Art Needlework—Second Floor

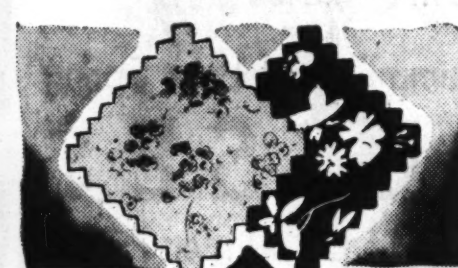


29c PRINTED
SHEER BATISTE

22c Yard

Sheer and crisp for Spring and Summer fashions. A wide selection of styles and color combinations at this Anniversary price!

29c 36-Inch White Dotted Swiss, Yard 19c
35c White Dimity; stripe, check, yard 22c
Wash Goods—Second Floor



\$1.09 PRINTED
Bemberg SHEERS

77c Yard

New 1937 Bemberg Prints in a wonderful variety of new effects both in design and color. Washable and so comfortable for both Spring and Summer wear. You save 32c a yard.

Silks—Second Floor



\$1.98 MALLINSON
Printed Pussywillow

\$1.57 Yard

Tubable, beautiful Silks in a complete range of light and dark shades for Spring and Summer. Easy to sew, simple to launder, beautiful for so many different types of smart ensembles.

Silks—Second Floor

SPECIAL Values in the Infants' Shop

SALE! CARTER
KNITTED Garments



TODDLER
PINAFORES

57c

Adorable little Pinafores, boy or girl types in prints and sheer dimities; with and without sleeves. Sizes 1 to 3. Buy them now for Summer!



Infants' Shop—Third Floor



HANDMADE
SUN SUITS

94c

You won't be able to duplicate such values later in the season! Handmade with fine embroidery. White or pastels, in sizes 1 to 4. Buy several!



\$10.50 Pure Linen
LUNCHEON SET

\$8.95

Imported Spanish Hand Embroidered Oblong Sets of one runner, 8 mats and 8 napkins. Solid and cutwork designs on cream linen finished with dainty scalloped edges.

Linen—Second Floor

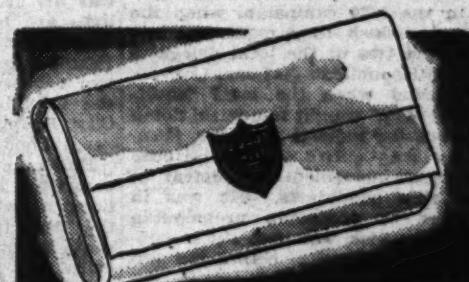


\$8.95 TAILORED
BEDSPREAD

\$6.69

Trapunta embroidered Rayon Spread; fully lined throughout and with extra deep flounce. Twin or full size in green, rust, rose, old gold, eggshell, blue dawn, wine or royal blue.

Bedspreads—Second Floor



SALE PEQUOT
SHEETS and CASES

Regular \$1.79
81x99 Sheets \$1.49

Genuine Pequot Sheets and Cases, all perfect, all fresh, at extraordinarily low sale prices!

\$1.69 Pequot Sheets, 72x99 \$1.39
\$1.89 Pequot Sheets, 81x108 \$1.59
42c Pillowcases, size 42x36 37c

Domestics—Second Floor

SPUN RAYON, Crown Tested



GIRLS'
FROCKS
\$3.69

Fresh, gay floral and fruit prints in the most ideal Summer fabric you can imagine! Soft, silk-spun rayon that's lovely to look at, yet has all the practical features of linen. It's crown-tested and washes like a million! A grand variety of styles in sizes 10 to 16 for hi-schoolers; 7 to 14 for little sister.

Girls' Shop—Third Floor

Crepe and Satin

NIGHT
GOWNS
\$2.76

Wait till you see the lovely selection! You'll buy, not only for yourself but for future gifts! Some princess-line styles with flared skirts; others in smart high shades, neatly tailored; also satins with high or deep V-necklines in new lacy styles with fine French lace trimming. Tearose, blue or opaline. Sizes 15 to 17.

Lingerie—Third Floor



\$2.98 SPRING
HANDBAGS, \$2.59

Smartly styled Bags in a variety of clever models. Bright patents in black or high colors; califkins in tailored models; also important gabardine with patent trims.

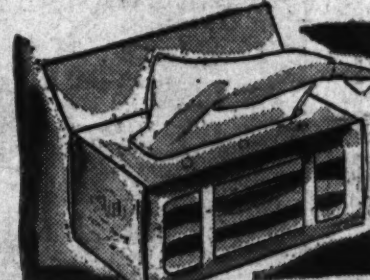
Handbags—First Floor



50c and 75c COSTUME
FLOWERS, 37c

Colorful Flowers for every costume! Pick yours from a glorious collection including field flowers, gardenias, daisies and scores of others.

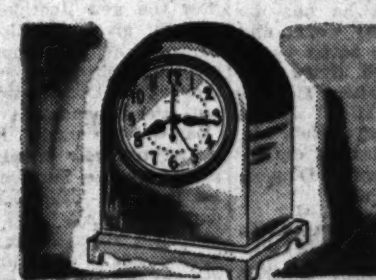
Neckwear Shop—First Floor



S. V. B. CLEANSING
TISSUES, 4 Boxes 98c

500-sheet boxes of soft, smooth 100% Solka Tissues with petit point edge to prevent lint! Colors: orchid, white, flesh, peach, green, blue or box of assorted colors.

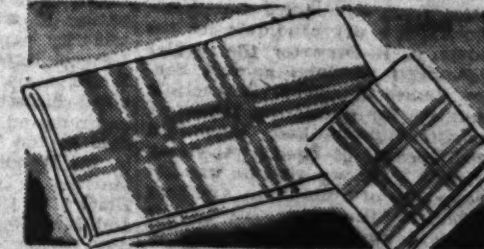
Toiletries—First Floor



G. E. Morning Glory
ELEC. CLOCKS, \$3.99

Smart alarm model that doesn't look like an alarm clock! Brown, striped mahogany case accented by base of light bird's-eye maple. 12-hour bell-alarm movement. 5 1/2 in. high.

Clocks—First Floor



\$1.98 PURE LINEN
BREAKFAST SET

\$1.69

Pure linen with colored border of blue, gold, green or red. 1 cloth, size 52x52 with 6 matching napkins. An Anniversary feature!

\$2.29 Hand-Blocked Linen Cloths, \$1.89
33c Hemmed Linen Damask Napkins, 25c

Linen—Second Floor

SCRUGGS VANDERVOORT BARNEY

STORE HOURS DAILY AND SATURDAY 9 A. M. TO 5 P. M. ... PHONE CH. 7500—WE. 3300—EA. 1504

Career of Oliver T. Remmers, Republican Nominee for Mayor, in 30 Years of Law and Politics

Fought Prohibition, Helped Beat "Court-house Ring" in 1920, and Cut Own Pay on Police Board in Depression.

Oliver T. Remmers, Republican nominee for Mayor in next Tuesday's election, has held but one elective office in a busy 30 years of law and politics. He was a member of the State House of Representatives for two terms, at the 1911 and 1913 sessions.

His next try for office was in 1922, when he ran in the March primary for the party nomination for President of the Board of Aldermen. The Republican City Committee refused to support Remmers, and he told the committee it could "go to hell." He smiled when he said it, in a bit of storytelling at a women's luncheon. The committee's candidate, Walter J. G. Neun, beat him in the primary, but three and one-half years later the committee, somewhat changed in membership, elected Remmers its chairman.

Later, by appointment of Gov. Henry S. Caulfield, Remmers was chairman first of the Election Board and then of the Police Board. He has long been closely associated with Edmond Koeln, South Side Republican leader, former City Collector.

Fought Prohibition. Remmers is 52 years old, tall, gray-haired and cheery of manner. He was born in St. Louis, and left the public schools at the age of 16 to work as clerk in a lawyer's office. He studied law at night in Benton College of Law. Soon after being admitted to the bar, he entered the legal service of Anheuser-Busch, Inc. He remained with the brewing firm for 17 years, having an office on the brewery premises.

He campaigned through the United States against prohibition. After adoption of the eighteenth amendment, he went before the House Judiciary Committee in Washington, representing Anheuser-Busch, against the prohibition bill. His address on law enforcement, given at that time, was widely published.

In 1919, as vice-chairman of the Members' Conference of the Chamber of Commerce, Remmers spoke to a business group, in opposition to the so-called "American plan" of open-shop industry. The speech was published in many labor papers, and was issued in pamphlet form by the Labor Union Educational Society.

He was president for two and one-half years of the St. Louis State Society, and a director in the National Council.

In 1924, he entered a law partnership with former Judge Vital W. Garesche, since deceased, and Ernest A. Green. His present connection is with the firm of Green, Henry & Remmers.

Helped Beat "Court-house Ring." In the 1920 campaign, when the Lowden slush fund exposures had involved two of the local delegates to the Republican National Convention, and when the local "court-house ring," sought to control nominations for judicial positions, Remmers was active in the House Cleaners' movement, for defeat of the ring candidates. He was in charge of preparing propaganda matter, which was sent out in considerable quantities before the primary, and which resulted in the defeat of ring candidates.

Again in 1924, when Koeln supported Anton Schuler for the party nomination for Sheriff, in opposition to a candidate supported by Mayor Henry W. Kiel, Remmers was Koeln's chief aid in directing the Schuler campaign. Schuler, after being elected Sheriff, appointed Remmers attorney for his office, at \$3000 a year.

Early in 1925, Remmers became a candidate for the party nomination for President of the Board of Aldermen, opposing Walter J. G. Neun, then chairman of the City Committee. Nearly all the members of the committee supported Neun. In the pre-primary campaign, Remmers sought to turn the wet-dry issue against Neun. He said that in the 1922 senatorial campaign, Neun had issued statements supporting a dry candidate for the Senate, R. R. Brewster, the regular Republican nominee, against Senator James A. Reed, Democratic candidate for re-election. Remmers said he himself had supported Reed, because of Reed's wet stand.

Neun's reply was that he was not a supporter of prohibition, and that he backed Brewster, his party's candidate, as a matter of duty in his position as city chairman. Neun won in the primary, defeating Remmers by 19,900 votes to 7900.

The Campaign of 1926. After Victor J. Miller became Mayor in 1926, an alliance was formed by Koeln, Kiel and John Schmoll. Remmers, as an active aid of Koeln, was elected to the City Committee from Koeln's ward, the Twelfth, and was then made chairman of the committee. In the fall campaign of 1926, he had the task of winning back to the Republican party the wet Republican voters, of whom he was one, who supported Reed in 1922. The effort was not very successful, and the Republican nominee, the Democratic nominee, Harry R. Hawes, won by the vote of the rest of the state.

While chairman of the committee, Remmers took part in the discussion of the pending ordinance proposal for exchange of the uses of Municipal and Eads bridges. He opposed the proposal, and attacked the Terminal Association, a party

to the trade. The proposed ordinance was later passed by the Board of Aldermen.

Remmers took part also in the discussion of the terminable permits enabling act, passed by the 1929 Legislature. He urged Gov. Caulfield to sign the measure, which was sponsored by Mayor Miller and the city's Transportation Survey Commission. It would have empowered the State Public Service Commission to issue to traction companies, with the consent of the city, indefinite permits which would have been, in practice, virtually perpetual franchises. Gov. Caulfield, after hearing arguments for and against the bill, vetoed it, saying it was an unnecessary and unwelcome invasion of the city's charter-making power.

Had Miss Bobb Appointed. Throughout the Caulfield administration, Remmers was kept in the most important appointive offices here. He was chairman of the Election Board from early 1929 until June, 1932, when, with the Police Board presidency vacant, the Governor asked him to take that position. He accepted, suggesting that he would like to leave the work of election supervision in the hands of his chief assistant, Miss Emma J. Bobb. Gov. Caulfield followed the suggestion, and made Miss Bobb chairman.

Under Remmers' chairmanship of the Election Board, as with previous boards, several administrative changes of both parties, there was no major scandal in registration or voting. The Board made full use of the services of the police, and of the facilities for checking hotel and lodging-house lists provided by law, so that sporadic attempts at padding the rolls were effectively checked.

In his short administration as head of the Police Board, Remmers and his associates retained Joseph A. Gerk as Chief of Police. In mid-July, 1932, when an unemployed group, under Communist leadership, tried to enter City Hall, and was repelled by the police with tear gas, Remmers issued an order against future "Communist gatherings under the guise of meetings of the unemployed," on the City Hall premises.

A strict policy of combating and destroying slot machines and gambling outfits was prescribed to the police by Remmers.

'Shoot First,' He Told Police. While he warned policemen, in official letters, against trying to use political influence to obtain promotions, Remmers also made it known that any policeman who killed a criminal caught in a robbery or other crime of violence would be promoted forthwith. "Shoot first" was his order to policemen; "your lives are too valuable to risk by waiting for crooks to shoot." When Patrolman Michael Mohan killed two robbers and was wounded in the shoulder, Remmers went to City Hospital and pinned a sergeant's badge on his shirt.

Remmers made blue shirts the prescribed hot-weather garb for policemen, who were permitted for the first time to leave off their coats when on duty. He has recalled this fact in his present campaign, and has related also in his speeches that, as Police Board president, he refused to use the high-priced official automobile assigned to him, and continued to drive his own car and pay for his own gasoline and tires. He said that, though he received several threats, because of his policy toward the underworld and his warfare on gambling, he refused to permit police guards to attend him.

Cut Own Pay 10 Per Cent. Remmers opposed reduction in police salaries because of the depression, but he favored the "voluntary" police contribution of 10 per cent to relief, and cut his salary as board president from \$1000 to \$900. He considered running for Mayor in 1933, but decided not to do so, and Neun, then president of the Board of Aldermen, took the nomination of what proved to be the minority party.

Since retiring from the Police Board early in 1933, he has devoted himself to legal work, and has removed from his native South Side to the West End, living now at 226 Woodbourne drive. He was married in 1909 to Miss Jennie Block at Cedar Bluffs, Neb. Mr. and Mrs. Remmers have a daughter, Fern, and a son, Douglas Block, a college student.

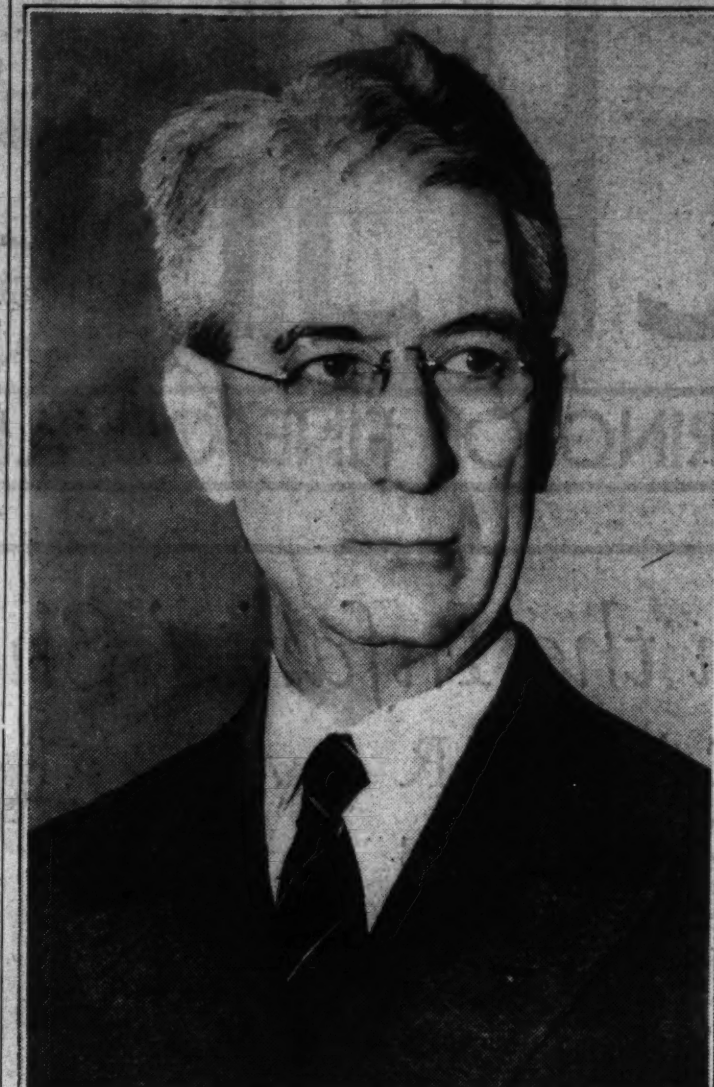
STARK GOING TO WASHINGTON FOR MORE BUILDING MONEY

Group From Advisory Board to Seek Speedy Approval of Grant for Prison Program.

Special to the Post-Dispatch. JEFFERSON CITY, March 30.—Gov. Stark said today that he and a committee from the State Bipartisan Advisory Board, which is directing the \$10,000,000 State building program, would go to Washington next week in an effort to speed the approval of a \$1,276,000 P. W. A. grant to Missouri for the construction of prison buildings.

The grant would be in addition to \$3,700,000 in P. W. A. funds which have already been allotted for the building program. Stark said it had the approval of Secretary of the Interior Ickes, but had been held up by the President. He said P. W. A. officials had urged the additional prison buildings as necessary for relieving overcrowded conditions in the prisons.

Oliver T. Remmers



—By a Post-Dispatch Staff Photographer.

SENATOR THOMAS HERE DEFENDS COURT PLAN

Speaks at Clayton High School Under Auspices of County Jefferson Club.

to limit or withdraw the right of judicial review.

An argument quite common in local political campaigns was used by the Senator, that the elder Justices have been in office long enough and it is time for them to step aside and give some one else a chance. Even even suggested that the Justices might render greater service to the public in private life, where they could write and lecture on the law and the courts without the restraint that surrounds them on the bench.

"There is no reason why a few should hold these high places when there are so many others able to do the job," he said.

He discussed the question of election of Federal Judges for stated terms rather than appointment for life, but left it without stating whether he favored a change in the present method.

"The Supreme Court must reform itself or something must be done from without," was the speaker's concluding remark.

Pledge cards reading, "I am in accord with President Roosevelt's Supreme Court bill. I pledge my efforts and influence to bring about its passage," were distributed, and John Gillespie, president of the Jefferson Club, asked those present to sign them. A. J. Pickett, a defeated candidate in last year's primary for the Democratic congressional nomination in the Twelfth District, proposed a resolution endorsing the plan, which was adopted.

The question was, would not the plan for enlarging the Court establish an undesirable precedent? The Senator answered that Roosevelt did not get his idea about enlarging the Court from the changes made in it under Jefferson, Jackson, Lincoln and Grant, so why should anyone ever regard Roosevelt's plan as a precedent?

Following close to the pattern set by the administration spokesmen, the Senator developed his defensive argument with considerable embellishment of phraseology which the audience at times appeared not to grasp clearly.

This argument, in essence, was that to a great extent the legislative program of President Roosevelt has been overturned by decisions of the Supreme Court holding acts of Congress unconstitutional and that the easiest and "least harsh" way of getting around this situation is to change the Court by this plan, which, as is known, would enable the President immediately to appoint six new Justices.

Obviously in answer to the charge that this would be packing the Court, the Senator added it remained to be seen whether the President's purpose to get favorable decisions on New Deal legislation would be accomplished by this means; no one could tell in advance how the new Justices would vote on any given question. Then he earnestly explained one of his principal reasons for opposing amendment of the Constitution as the way out—the amendment would be a "leap in the dark," no one could know just how it might be interpreted by the Supreme Court. As he had not described the President's plan as a "leap in the dark," although surrounding it with the appearance of equal uncertainty, he did not explain how one leap would be any better than the other.

"Middle-of-the-Roader." "The President's proposal," Senator Thomas said, "is the least harsh of any. It is the type the middle-of-the-roader likes. It appeals to the man who believes the fundamental law should be the last thing changed. It is in keeping with our reform notions and meets the demands of the hearts of the people."

One charge against the Court by many advocates of the President's scheme—that the Court has usurped the power to "veto" laws—was avoided by Senator Thomas. In fact, he passed the right of the Court to defend the constitutionality of legislation. It is a necessary function of the judiciary in a government under a written constitution, he said. It was how the Court had decided on New Deal laws that he objected to, and he declared he was opposed to any amendment that would undertake

Legislator Quits Insurance Inquiry

Continued From Page One.

the task would be appointed by the Speaker," Smith said, "and that it would be composed of members who believed in the necessity for the investigation and were enthusiastically for it."

"During the discussion of the resolution an amendment was offered by the majority floor leader. This amendment, if adopted, would have left the committee without counsel, clerk, stenographer, sergeant-at-arms or any of the necessary machinery to carry on any sort of an investigation. It would have destroyed the resolution. It was defeated, but it had the support of a substantial group in the House and by some of the members of the Insurance Committee."

"Following the defeat of this amendment, another was proposed by the same gentleman to strike out the request for a small special committee and to refer the investigation to the standing Insurance Committee. No member of the resolution, no member of the standing committee had at any time shown any enthusiasm for, or interest in, the investigation. Nevertheless, all of the 11 Democratic members of the committee except myself voted for this amendment and it was carried."

"Death of Investigation." "This action of the House was contrary to every precedent in the history of Missouri and was entirely without logical or plausible reason. At the time of its adoption it was universally conceded to mean the death and end of the investigation. Following its adoption I disclaimed all sponsorship and connection with the resolution and the investigation."

"My belief at that time was that the investigation under these circumstances and in these conditions would accomplish nothing. That belief has been fully justified by the proceedings to date. I nevertheless met with the committee as was my duty."

"It's first action was by majority vote to decide that all evidence should be taken in secret session. Such a procedure would have been unwholesome and un-American and would have stifled every member who participated in it. After public protest was made by me on the floor of the House the committee decided from its action."

"The committee has been hearing testimony for more than a week. The things disclosed have been the obvious things about which there have been no concealment. No attempt has been made by the committee to make an exhaustive investigation on its own account."

"Members of the committee as a whole have made neither comment, criticism nor suggestion as witness has followed within. If there were individuals who held confidential information concerning the matters at issue, they could not be blamed for not intrusting their confidence to the seal of this committee. Except for unimportant details, little has been disclosed so far that the public has not already known."

Waste of Public Funds. "The remaining phase of the investigation concerns the expenses which have been incurred by order of the Circuit Court of Cole County, including commissioners' fees and attorneys' fees. All of these matters are of public record and are shown by court orders. If we may judge by the past, the investigation in the future would amount to calling the attorneys and commissioners and examining them in the manner heretofore described. In other words, to proceed further would be a waste of public funds and a waste of time of the members of this standing committee."

Smith then said that there were matters of important legislation pending, to which he and the other members of the committee could better devote their time.

"It is time to call a halt on an aimless and purposeless investigation and enable the members of the committee to devote their time to urgent legislative matters," he said. "The House acted to shut the investigation into a blind alley. We have gone far enough to show the success of the strategy."

When Smith's motion was made, he was supported by other witnesses. Taylor defended the committee, but said nothing had been produced reflecting on any person, that he was confident there was no basis for criticism of the insurance settlement or of the Insurance Department, and that for that reason he believed the committee should be relieved of further duties in the matter.

Members of the committee, whom Smith had accused of conducting a whitewashing investigation, immediately demanded that Smith's motion be defeated. They criticized Smith severely, charging that he had not called any witnesses to substantiate the original resolution.

He retorted that he would not bring before the committee persons who had knowledge and subject them to the type of inquiry which they would face.

Chairman Shockley, Representative Rainwater of Polk County, Representative Keating and Representative Dorsey of St. Louis, all members of the committee, said they did not expect the inquiry would result in any other than a clean bill of health for all involved in the insurance rate settlement, and insisted that those who participated in the settlement were entitled to have the hearing conducted to an end and to have an official report of exoneration.

Smith, who from time to time as a member of the committee had protested against the policy of permitting the persons under questioning to make their defense, and who had charged that the inquiry had been taken over by "insurance company lawyers and the Insurance Agents' Association of Missouri," having been an obstructionist in the hearings, "He's young and foolish," Shockley said.

Representative Baker of Callaway County, who joined with Smith in the introduction of the original resolution, and Representative Evans of Macon County, a member of the committee, put their pleas for defeat of Smith's motion on the ground that until the inquiry was completed it could not be known what the evidence would be.

When the committee retired from the House to the hearing room, the victors over Smith were in high spirits. Representative Lindhorst of St. Louis remarked jocularly that the committee should send the sergeant at arms out to

"drag Smith in" and that the committee should "investigate Smith, not O'Malley."

How McCormack Started. Charles R. Street of Chicago, who represented the insurance companies with their attorney, R. J. Folome, in the compromise settlement was the first witness after hearing was resumed.

Street testified that he started conversations with O'Malley about a settlement, the insurance business in the State being in a chaotic condition because of the long litigation.

He denied having had anything to do with setting aside 30 per cent of the 80 per cent of impounded premiums which were to go to the insurance companies, and that the first he knew of it was when the agreement had been worked out in detail by Folome and O'Malley and was submitted to him for his signature. The 30 per cent, as has been explained by other witnesses, was to take care of attorney's fees and other expenses.

Street testified that, if he had fixed the amount to be set aside, it would have been 20 per cent, as that was all that was needed, and that the \$3,000,000 represented by the 30 per cent was "too great a temptation to the lawyers."

Denies Payments Except Fees. He denied there had been any payments to any individuals in connection with the compromise except the attorneys' fees.

Street said that he considered the settlement of advantage to the property owners, it being his contention the companies were entitled to all the impounded premiums instead of 80 per cent. Through the efforts of A. L. McCormack of St. Louis, former president of the Insurance Agents' Association of Missouri, the agents received their commissions on the total premiums issued instead of on 80 per cent of the business.

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REMMERS SAID CITY IS ALREADY 'AN OPEN '

Handbooks, G. A. Dens, R. W. Grafters, Multi Dickmann, He

'HOSPITALS RE FOR WARD H

Relatives on 'Lords and No ing Fat,' Repu serts; Slums Ne

There has been an commercialized vice during Mayor Dickman's administration, and the city became "an open town City, with the multi handbooks, g. a. Dens, R. W. Grafters, Multi Dickmann, He

"The Mayor of a continued, "should not leader in its material also a moving force to ment of social and po usua. Such leadership ing."

Social workers and hood Association were their complaint against of vice, said Remmers at the Fairgrounds Hall at College and Bl

"Our Emotions A "There should not he said, "but who loe proof upon the local head but heads end this administration. rament of our very na that which is good. are reused against the nishing of states offi derworld characters."

"What a contrast sympathetic attention able citizens and the ministrations brutal in the welfare of our le citizens! It has shown a lack of proper attention to tients in our city hospit sitions; these placee created at political re nacles who had to be city payroll."

Mayor's Private "The present admini differences to the econ and suffering of man children, is in striking its utter selfishness money to satisfy the own group. W. P. A. an eral relief workers Mayor spent \$100,000 on own office. Spent \$ private bath and a priv Bought private office \$1000 at taxpayers' ex mence. Expensive desk No executive has any in St. Louis. Neither Morgan nor Rockefeller fancy a desk."

The present Mayor, fiddle away the taxpe on himself his electe runs riot. Like M ette, he asks, if the pe bread, why don't the like Louis XVI, his and greed have vo against his admini revolt not of bullets, b "He violates the cha to uphold by extorting the city workers for his poses."

Charge of Nepot Renewing a charge of the Dickmann fam the municipal payroll, lean nominees said the subsidizing them at pu Edgar Meyer, "a Dic tive." Remmers dec \$180 a month a dra Water Department ally accommodates ing to his office; his city does not interfe business as a contract Remmers repeated that the employment Dickmann, the Mayor's steward of City Wor lease the anti-nepotism forfeited the Mayor's s, and that Dr. Harri Dickmann relative, "a month for one hour chief supervisor of dental practice, while private practice in the Building, 3113 South vard."

"The lords and no administration are while nothing is being lieve the distress of the nominee went on repeat itself on April last Mayor's bombast a miserable effort to cause of broken pie

For his part, Remm had always adhered to the justice should be and poor alike should help the city sacrifice of political his own means, he re always fought against management by either Republicans.

Tyranny in city man

LANE BRYANT SIXTH and LOCUST

Tomorrow at 9 O'Clock on the Second Floor!

A Sale You Didn't Ask For

... but one we KNOW you want! And who wouldn't after reading the tremendous values offered tomorrow in this Sale of Actual—

REMMERS SAYS CITY IS ALMOST 'AN OPEN TOWN'

Handbooks, Gambling
Dens, Racketeers and
Grafters, Multiply Under
Dickmann, He Charges.

'HOSPITALS RESORTS FOR WARD HEALERS'

Relatives on Payroll,
'Lords and Nobles Wax-
ing Fat,' Republican As-
serts; Slums Neglected.

There has been an expansion of commercialized vice in St. Louis during Mayor Dickmann's administration, and the city has almost become "an open town, like Kansas City, with the multiplication of handbook shops, gambling dens, racketeers and grafters," Oliver T. Remmers, Republican nominee for Mayor, asserted in two campaign speeches last night.

"The Mayor of a great city," he continued, "should not only be a leader in its material affairs, but also a moving force for the betterment of social and political conditions. Such leadership is now lacking."

Social workers and the Neighborhood Association were not alone in their complaint against the growth of vice, said Remmers at meetings at the Fairgrounds Hotel and in a hall at College and Blair avenues.

"Our emotions aroused," he said, "there should not be a citizen, but a heart that beats condemnation of this administration. It is the sentiment of our very nature to seek that which is good. Our emotions are aroused against the unholy partnership of public officials with underworld characters."

What a contrast between the sympathetic attention given undesirable citizens and the present administration's brutal indifference to the welfare of our less fortunate citizens! It has shown an inhuman lack of proper attention to the patients in our city hospitals and institutions; these places are now operated as political resorts for the care of the ward healers and barons who had to be put on the city payroll.

Mayor's Private Bath.

"The present administration's indifference to the economic distress and suffering of men, women and children, is in striking contrast with its utter selfishness in wasting money to satisfy the vanity of its own group. WPA and other Federal relief workers received but starvation wages while the present Mayor spent \$100,000 to remodel his private bath and a private apartment. Bought private office furniture for \$3700 at taxpayers' cost; has the most expensive desk in America. No executive has anything like it in St. Louis. Neither J. Pierpont Morgan nor Rockefeller spent as much as a desk."

"The present Mayor, like Caesar, fiddles away the taxpayers' money on himself while sickness and distress run riot. Like Marie Antoinette, he asks if the people haven't bread, why don't they eat cake? Like Louis XVI, his vanity, arrogance and greed have caused a revolt against his administration. A revolt not of bullets, but of ballots. He violates the charter he swore to uphold by extorting \$50,000 from the city workers for political purposes."

Charge of Nepotism.

Renewing a charge that relatives of the Dickmann family were on the municipal payroll, the Republican nominee said the Mayor was subsidizing them at public expense. Edgar Meyer, "a Dickmann relative," Remmers declared, "gets \$150 a month as a draftsman in the Water Department and occasionally accommodates the city by coming to his office; his work for the city does not interfere with his business as a contractor."

Remmers repeated the charge that the employment of Charles Dickmann, the Mayor's brother, as steward of City Workhouse, violated the anti-nepotism law and forfeited the Mayor's right to office, and that Dr. Harry Stamm, "a Dickmann relative," received \$275 a month for one hour's work daily as chief supervisor of municipal dental clinics, while maintaining private practice in the Dickmann Building, 3115 South Grand boulevard.

"The lords and nobles of this administration are waxing fat while nothing is being done to relieve the distress of the people," the nominee went on. "History will repeat itself on April 5. The present Mayor's bombastic and expensive advertising is a mockery and a miserable effort to bolster a lost cause of corruption."

For his part, Remmers said, he had always adhered to the principle that justice should serve the rich and poor alike and society should help the unfortunate. At the sacrifice of political popularity and his own means, he related, he had always fought against political mismanagement by either Democrats or Republicans.

Tyranny in city management was

Strangled; One of Three Murder Victims



VERONICA GEDEON

as dangerous for the public welfare that of kings, he continued, adding a brief dissertation on the rights and needs of labor, and leading into the desirability of slum clearance, which he charged Mayor Dickmann with neglecting. The Mayor's time, he remarked in this connection, was "too fully occupied in trying to build a personal political machine."

The Committee on Housing and Blighted Districts issued a letter this month, signed by a number of community leaders, which said, he recalled, that St. Louis was virtually the only large city not receiving large Federal grants for slum clearance and low-cost housing during the past four years. This would not have been the case, he asserted, if Mayor Dickmann had devoted less energy to politics and more to the care of the needy.

"Municipal Neglect," "The existence of slum areas," Remmers concluded, "is a confession of municipal neglect. Slums breed crime. People, because of miserable living conditions, are driven to desperation. Not only in the slums, but everywhere within our city limits, burdens should be lifted from the shoulders of the many, so that life may be more tolerable."

"Good citizenship, for the general welfare, must think of the co-operative life as a disinterested, purely humanitarianism. Just plain humanity requires we give our neglected citizens a lift. My thoughts and actions will be to help the 10 per cent of our people, as the 10 per cent have the means to take care of themselves."

Defeated Democratic Candidate Reported Out for Remmers.

Republican headquarters announced today that Charles Baker-Smith, who was defeated by Alderman Emmett Golden for the Democratic nomination for Twenty-seventh Ward Alderman in the recent primary, had notified Oliver T. Remmers, Republican nominee for Mayor, that he would support Remmers and the entire Republican ticket in the election.

Baker-Smith, a chauffeur, residing at 8638 Herbert street, said he had always been a Democrat and, after being defeated for an aldermanic nomination in the primary four years ago, had voted for Mayor Dickmann. Since then, however, he asserted, he had found the Mayor too busy to see him on several visits to the Mayor's office.

AUBURN CO. PLANT AGREEMENT

Auto Union Recognized in Bargaining for Members.

By the Associated Press.
CONNEERSVILLE, Ind., March 30.—Members of Local 151, United Automobile Workers of America, employed at the Auburn automobile plant here, began working today under an agreement signed by their leaders and plant executives.

It was announced the contract called for a 40-hour week, time and a half for overtime, and recognition of the union as the bargaining agency for all union members employed by the company.

Finds Mother Killed 3 and Self.

AURORA, Ill., March 30.—A Coroner's jury decided yesterday that Mrs. Jeanette Martin strangled her three children and hanged herself while temporarily deranged on Easter Sunday. The bodies of Mrs. Martin and the girls—Betty Jean, 3 years old, Olga Jeanette, 2, and Joan, three months old, were found in the home several hours after they had returned from Easter church services. A note written by Mrs. Martin told of her grief over "neglect" by her estranged husband, John, who is somewhere in the Southwest seeking employment.

My husband was a...
I'll have him...
M. J. CONNEERSVILLE...
THIS GREAT NITE FOR SALE...
What value is it only \$5.00!

MAYOR IS ASKED WHO PAID TO BAR BOND VOTE INQUIRY

W. Blodgett Priest Asks
Who Put Up Money for
Attorneys to Block Grand
Jury Investigation.

W. Blodgett Priest, lawyer, in speeches in behalf of the Republican city ticket last night, asked Mayor Bernard F. Dickmann to tell the public where the money came from to pay fees for lawyers in the recent successful legal maneuver to prevent a grand jury investigation into frauds in the riverfront bond issue election.

"I would like to know, Mr. Dickmann," said Priest, "and I am sure the people of St. Louis would like to know where the money came from to pay the fees of lawyers in the court action to prevent the grand jury from going further into the election frauds in St. Louis. Did that money come from the Democratic City Central Committee or did it come from the city?"

"I want you, the people of St. Louis, to hear what Federal Judge Albert Reeves of Kansas City says about election frauds there in his instructions to the grand jury: 'When a dishonest vote is introduced into the ballot box, it tends to contaminate the whole government. A fraudulent ballot is a common enemy—a cancer growing from within. We cannot surrender our ballot box to plug-uglies and hoodlums who patrol the streets with machine guns; we must not stand by any longer. I cannot sit quietly by in my district and witness the open floating of election laws. Gentlemen, reach for them all, even if you find them in high authority, move on them!'"

"Mayor Has Done Nothing," "Mr. Mayor Dickmann been willing to 'move on them?' Has he been willing to send election crooks to the penitentiary where they rightfully belong? What has he done to purify elections? My answer is—nothing. Since you have done nothing, Mr. Dickmann, then I call upon the people of St. Louis to do something and move on and eliminate from office those who are responsible either actively or passively for these election frauds."

Priest then turned to a discussion of the booklet circulated in behalf of the Mayor's candidacy for reelection, asserting that most of the improvements listed in the booklet as accomplishments of the Dickmann administration were, in fact, initiated under the 197,000,000 bond issue of 1923, passed during a Republican administration.

Referring to a statement in the campaign booklet quoting the Mayor as saying he had to be "ruthless" in cutting down city expenditures, because of impending deficits, Priest said he had to be ruthless; that I agree with you in—you have been ruthless. You have disregarded the Efficiency Board, thrown it into the scrap heap, and made it the employment bureau of the Democratic City Central Committee. You have discharged hundreds of employees without rhyme or reason, both Democrats and Republicans, who have given the best of their lives to the service of the city. By the loss of their jobs, you have thrown them into want, and many suicides have been caused thereby. Do you think that their friends and their loved ones or anyone else can feel that you were anything else but ruthless?"

Refusal to Debate.
Taking up the Mayor's refusal to debate campaign issues with Oliver T. Remmers, Republican

Used Washing Machine Parts

WRINGER ROLLS, 39c
WASH MACHINE, PARTS, CO.
Lafayette 6366 4119 Grand
Open Tuesday and Friday 11:30 P. M.

Get Relief with this
2 DROP TREATMENT
HELPS OPEN UP STUFFY HEAD
25c, 50c, \$1 a bottle
PENETRO NOSE DROPS

Baldness is Not Inherited



SCIENTISTS who study the laws of inheritance have found that "acquired characteristics" are not inherited. Baldness in all cases develops many years after birth and it is therefore agreed that it is not always inherited.

Thomas past histories further show that many men who are bald have fathers and grandfathers with good heads of hair. It is also found that many men keep good heads of hair throughout life even though their fathers were bald at early ages.

Eighty-five per cent of all cases of baldness can be traced to neglect or to one or more of 14 local scalp disorders. Thomas treatment is designed to overcome all of these local scalp conditions to help end dandruff, falling hair and stimulate normal hair growth. Come in today and receive the benefit of sound advice from a Thomas expert. No charge is made for consultation nor for scalp examination. (Always in private.)

THE THOMAS
World's Leading Hair and Scalp Specialists—Forty-Five Offices
411 N. Seventh St., 801-802 Ambassador Bldg.
Separate Departments for Men and Women—Phone Central 644
HOURS—10 A. M. to 5:30 P. M., SATURDAY to 7 P. M.

TWO MISSING ARMY FLYERS FOUND DEAD IN PLANE WRECK

Ship Crashed Into Side of Mount McKinley in California, in Storm Saturday Night.

By the Associated Press.
HIGHLANDS, Cal., March 30.—The burned bodies of Lieut. Robert C. Love, 26 years old, and Private Emory J. Parsons, 25, whose Army plane crashed into Mt. McKinley here Saturday night in a storm, were recovered yesterday from the wreckage.

Missing 40 hours on a 64-mile flight from Glendale to their base at March Field, the flyers were sighted from the air by one of the 20 planes hunting for them. That Love lost the radio beam he was following and became lost in the darkness, fog and rain, was indicated by a radio call for help he apparently sent Saturday night. T. J. Gaughan, T. W. A. pilot who was flying his airliner into Los Angeles from the east, said he heard a message: "Help! Help!" near the Big Bear region. He thought it to be from a commercial broadcast.

Ball Strike Vote to Continue.
SAN FRANCISCO, Cal., March 30.—A strike vote by 8000 train employees of the Southern Pacific Co. will continue under the leadership of the United States Supreme Court's upholding of the Railroad Labor Act, C. W. McLaughlin, vice-president of the Brotherhood of Locomotive Firemen and Enginemen said here yesterday. McLaughlin declared the vote would continue under authority of the act which recognizes the right of collective bargaining and provides for settlement of disputes.

General Motors Sit-Down Settled.
OAKLAND, Cal., March 30.—Settlement of a sit-down strike which had halted work of 3000 men at two General Motors plants here was announced by G. M. Daniels, resident manager, last night. "The grievance, that of an employee discharged for poor workmanship, will be submitted to the Detroit group as provided for in the national agreement," he said.

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CHARGE PURCHASES WEDNESDAY PAYABLE IN MAY

FAMOUS-BARR CO.

OPERATED BY THE MAY DEPT. STORES CO. WE GIVE AND REDEEM EAGLE STAMPS

BABY DAY

spring savings specials for wednesday!

SILK COAT OUTFITS

Mothers will delight in the beautifully done smocked and featherstitched details, soft silk linings and well-bred look of these coats and matching bonnets. In white, pink or blue silks of exceptional quality.

28c

39c Vanta Bands **28c** Gowns, Wrappers **48c**

Handy, comfortable slip-on kind Cotton or mesh. Side pinning tabs. 2-6. Rejects of 79c grade Cannon fine combed cotton knits. White, pink, blue.

\$1 Package of 50 Diapex Disposable Diapers — **88c**
79c Soft Cotton Crib Blankets, 36x50 inches — **58c**
\$2.98 Play Pen Pads, Removable Covers — **\$2.38**

Registered Nurses to Advise You!
Infants—Birth Floor

\$10 for your diamond mounting Begins Wednesday

... for one week only ... \$10 trade-in allowance on purchase of platinum

RING MOUNTING

many styles set with diamonds

\$34 to \$250

An outstanding selection of beautiful Mountings, utmost in value, modern, exquisite styles! You may watch our workmen set your stone, if you wish!

Use your charge account or deferred payment plan (small carrying charge). Eagle Stamps given with cash purchases.

Jewelry Dept.—Main Floor Balcony

men's union made

HEADLIGHT

overalls or jumpers

\$1.49 ea.

Heavy duty 8-oz. blue denim, Headlight shrunk... comfortably cut. Launder beautifully!

Other Headlight Feature Groups

Waistband Overalls, \$1.49; Coveralls	\$3.25
Hickory Stripe Overalls or Jumpers	\$1.95
Painters' White Overalls or Jumpers	\$1.95
Carpenters' White Overalls	\$2.25
Snag-proof Khaki Trousers	\$2.95
Cover Trousers, \$1.75; Cover Shirts	\$1.50

Extra Sizes at Slightly Higher Prices
Second Floor, or Call Garfield 4800

LOOK! \$1.50 Dog Feeding Table for 3 labels from Armour Dog Food cans... and only 50c in cash!

Pet Shop—Eighth Floor—or Call Garfield 4800

Famed quality products for your dogs... beef meat, carrots, powdered milk, cod-liver oil, soybean flour! Scientific, correctly balanced ration for your pets!

ARMOUR'S DOG FOOD

12 cans \$1

Charlotte Russe

3 for 15c

Made with pure whipped cream and fresh Lady Fingers! Wednesday only! Bake Shop—Bakery

MOTH GAS VAPORIZERS

refillable style! complete with hook

79c refills, 69c

you'll want one for every closet!

Hang high in closet, Moth-Gas vapor penetrating downward... protecting clothing and fun day and night. Garments may be worn immediately... odor does not cling. One Vaporizer is sufficient for 44 cu. ft. of combined space. Kills moth eggs and larvae.

Notions—Main Floor, or Call Garfield 4800

Does Your Home Need a Spring Tonic?

Most homes profit immensely by a little touching up here and there. New curtains, a colorful rug, a charming lamp perhaps, or a big deep lounging chair. You'll perk up yourself with new things around you. Come to St. Louis' Largest Home Furnishers... see what we're showing that's new, different... and so reasonably priced!

FAMOUS-BARR CO.

It's Easy to Buy On This Helpful Plan!

Up and coming families use this modern method to have the things they want and need. Why, on a purchase of \$50 you need pay only \$5 cash, then \$4.65 monthly for ten months. Or, on a purchase of \$150, you can pay \$15 cash and \$9.68 monthly for fifteen months. Carrying charges are included. Amounts of \$20 or over on same basis.

HOW

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HOMES?



\$30 SAVINGS! NEW WOOL luxury wiltons

Not ordinary rugs, but quality jacquard wiltons that'll wear for years! Brilliant new patterns and colorings... Persian, early American, Chinese, modern designs. Pay \$4.95 cash, then \$4.28 monthly with carrying charge.

\$1.89 Straightline Inlaid Linoleum ——— \$139

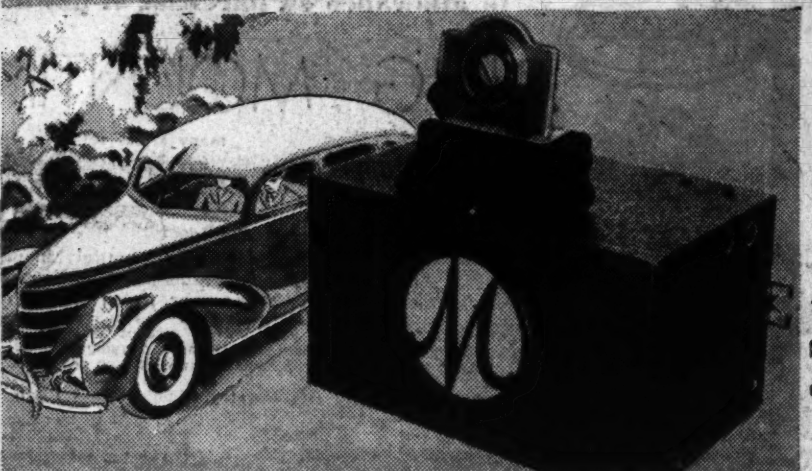
To Famous-Barr Co. for Floorcoverings—Ninth Floor



CREAM SOUPS, SAUCERS! 105-PC. china elegance

It's day in, day out values like this that turn homemakers toward Famous-Barr Co.'s China Section! Imported China, too, mind you... and decorated with the most realistic floral spray design in many a day! Mellow ivory shoulder! And remember, cream soups and saucers! Service for 12!

To Famous-Barr Co. for China—Seventh Floor



CALLING ALL AUTOISTS! NEW 1937 Motorola

It's here... and what a beauty! More power, more pep... more dollar-for-dollar value! Electro-dynamic speaker reproduces like your new radio at home! 8 tuned circuits comb the airways for your entertainment! Challenger model No. 35!

To Famous-Barr Co. for Auto Radios—Eighth Floor



FLOORS TAKE NEW LIFE WITH linoleum varnish

Low priced to give your budget new life, too! Sherwin-Williams famed Dex Varnish covers amazingly... approximately 125 square feet per quart! Extremely pale... it dries in a jiffy with a full, rich luster! Preserves the pattern of your linoleum, too! Quart size!

To Famous-Barr Co. for Paints—Seventh Floor

You Save \$6.32!

CLUB ALUMINUM

formerly \$25.20, many a homemaker will save, at \$18⁸⁸

No wonder more and more women prefer Club Aluminum! Waterless cooking means more tasty foods, no cooking water to drain off healthful goodness of meats, vegetables. Fuel saved, too, Club Aluminum heats quicker, stays hot longer! Try it... be convinced!

here's what you get... at \$6.32 savings!

1 1/2 Qt. Covered Pan	—	\$5.60	—	\$3.45
2 Qt. Covered Pan	—	\$7.50	—	\$3.95
3 Qt. Covered Pan	—	\$8.60	—	\$4.45
6-Inch Fryer	—	\$2.25	—	\$1.75
10 1/2-Inch Fryer	—	\$5.95	—	\$2.95
13-Inch Griddle	—	\$4.25	—	\$2.25
4 1/2 Qt. Dutch Ovens	—	\$10.95	—	\$5.95
Wire Rack	—	—	New	20c
2 Pkgs. Aluminum Cleaner	—	—	New	20c
				\$45.10 \$25.20

\$1 DOWN, balance monthly, small 30-DAY TRIAL, if not satisfied in that time, return set, money will be refunded.

To Famous-Barr Co. for Housewares—Seventh Floor



what a combination!

ROSES

... 3 of the most popular, and 3 canna bulbs, all 39^c

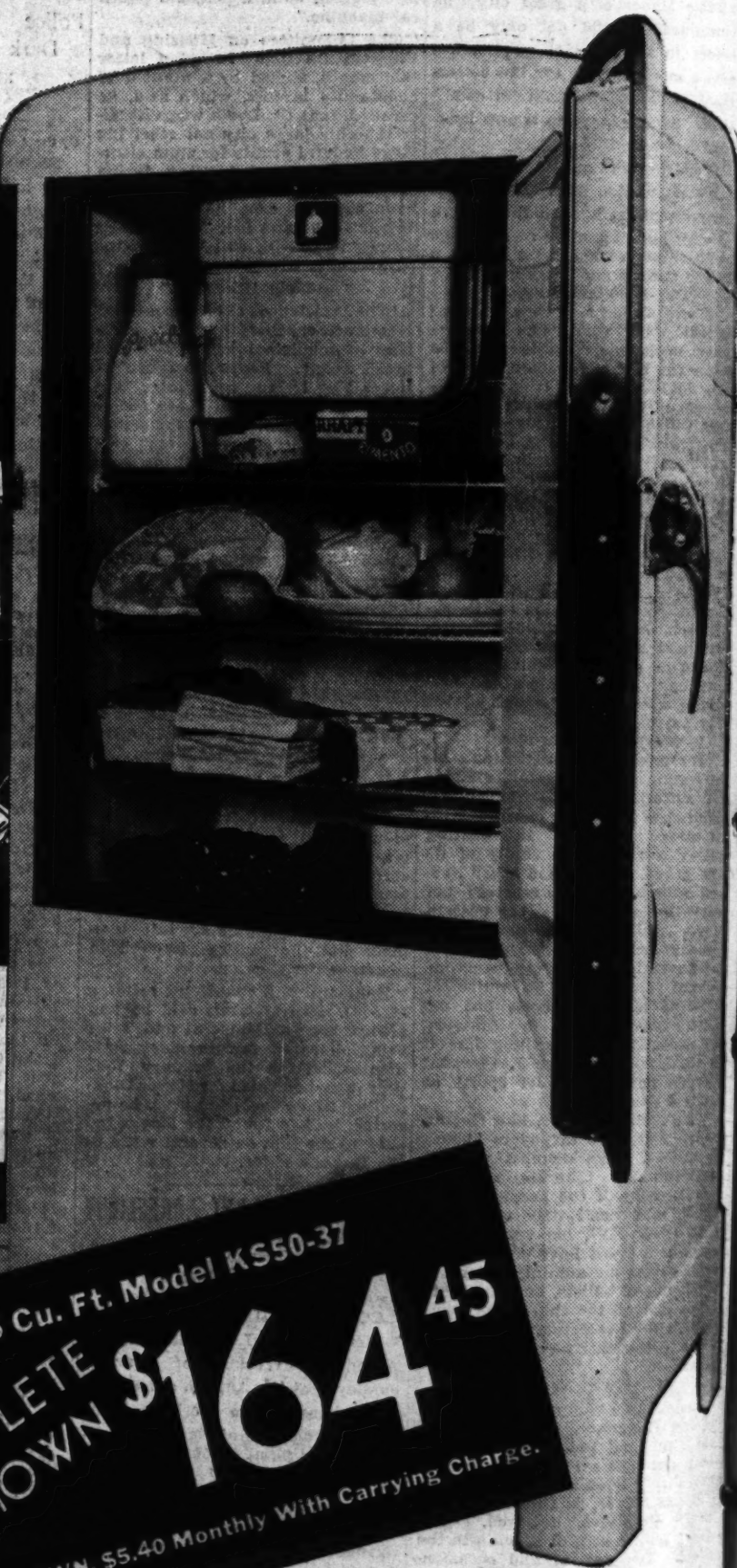
Famous-Barr Co. low price to bring joy to a gardener's heart! Imagine! One pink, one Red Radiance and one Talisman with 3 canna bulbs, all for 39c! All hardy, field-grown!

Consult Our Expert Nurseryman

To Famous-Barr Co. for Garden Seeds—Eighth Floor

they're here! now! revelation
in efficiency, economy! new 1937

Plus-Powered KELVINATOR



5.16 Cu. Ft. Model K550-37
COMPLETE AS SHOWN \$164⁴⁵
NO CASH DOWN. \$5.40 Monthly With Carrying Charge.

plus-powered for greater cooling capacity, more plentiful ice cubes!

By any standard of comparison, you'll agree here's a Refrigerator priced below its specifications! Kelvinator not only has beauty, but everything else you should demand of an Electric Refrigerator! Designed for convenience and economy. Every square foot of space instantly accessible. No fuss at the sink for ice cubes... there's a rubber grid in every tray. Lifetime porcelain interior... lustrous Permalux exterior. Shelf area 10.72 square feet; makes 88 cubes or 9 lbs. of ice at a freezing. Five-year guarantee on unit. Interior light, heavy bar-type shelves, abundant reserve power. Come in for your copy of Kelvin Home Book... there's no charge! Also see other models in the Kelvinator line... all with liberal trade-in allowance, priced economically from — 139.95 to 314.95

To Famous-Barr Co. for Electric Refrigerators... Seventh Floor. Electricity Is Cheap In St. Louis

Gen PART TWO.

SOCIALIST P URGES ME TO SUPPO

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By the Associated Press.
CHICAGO, March 29.—The
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SOCIALIST PARTY URGES MEMBERS TO SUPPORT CIO

Special National Convention Says Suspension of Unions by A. F. of L. Threatens Split in Labor.

CAUTIONS AGAINST RIVALRY IN PLANTS

Lays Down Conditions on Which Executive Committee Shall Aid in Building Farmer-Labor Party.

CHICAGO, March 30.—The National Socialist party, in special convention here, endorsed late yesterday the Committee for Industrial Organization and urged its members to support unanimously the labor movement headed by John L. Lewis.

Termining the CIO "one of the most significant developments in the American labor movement," a resolution adopted by the convention charged that the Executive Council of the American Federation of Labor, "jealous of their interests, took organizational steps in order to destroy this progressive tendency."

The resolution was adopted behind closed doors. Suspension of CIO unions, the resolution stated, "created the danger of a split in the American labor movement."

Condemns Green's Letter. A letter of William Green, president of the A. F. of L., to the central labor bodies recommending suspension of CIO locals, increased this danger, the resolution set forth.

The party voted its opposition to national, state and local suspensions. In the automobile and steel industries, the Socialists charged, the A. F. of L. "played a disruptive role by fighting recognition of unions as the sole bargaining agencies for the workers."

The resolution said workers, "inspired by the recent victories of the CIO," should guard against hasty abandonment of the A. F. of L., because such action might endanger the well being of their organization within the A. F. of L.

The resolution expressed the opinion the Federation would maintain "its hold on a substantial section of organized workers." For this reason, the convention held, it might become the duty of progressive labor forces to "strive to preserve the unity of labor in such a manner that it will be possible to organize the workers in mass production industries along industrial lines, while preventing wasteful and exhausting conflicts where craft unions are solidly entrenched."

Cautious Against Rival Unions. If efforts to preserve organic unity failed, it added, it would become the duty of progressives to see that no rival organization was set up in each industry, with the attendant development of dual unionism.

The resolution said the convention, in giving its support to the CIO, recognized "the shortcomings" of that organization. The chief objection was the charge that the principal leadership of the CIO was "depending upon the political alliance with the Democratic party."

The convention voted to instruct the party's national executive committee "to collaborate in building a national farmer-labor party whenever circumstances are favorable." The resolution was introduced by Norman Thomas. In a statement, the conferees said a final decision was left to the executive committee.

Conditions of Co-Operation. The resolution said co-operation of the Socialist organization in formation of a national farmer-labor union rested upon these conditions: "1—The party must consciously represent the interests of workers with hand and brain.

"2—It must, from its first inception, have the definite support of important sections of organized farmers and workers and also be open to individuals supporting its principles and aims."

"3—The farmer-labor party should be committed at least to the general principle of production for use."

"4—The farmer-labor party should permit the affiliation of the Socialist party as a unit, or failing that, to receive Socialist support it must permit membership of Socialists on terms compatible with the maintenance of the Socialist party."

United Front Proposal. The newly elected national executive committee approved a resolution on the "united front" which stated the Socialist party should "vigorously work for specific or united front undertakings with trade and industrial unions in connection with campaigns for the organization of labor and in behalf of the unemployed."

The resolution further declared the party should work for the "development of co-operative

ties; formulation of, and agitation for, labor legislation and constitutional changes; in the fight against Fascism, militarism and war, and in other efforts calculated to advance labor's interests.

"In considering co-operative or united front activities with the Communist party, each case of proposed co-operation should be considered separately," the resolution added.

John Thurber, a convention spokesman, said the resolution constituted "a change in the party's previously understood policy" and marked the first time the Socialist group "came to an understanding on the policy of united front."

No Merger With Communists. Arthur McDowell, chairman of the Socialist Party Publicity Committee, said today the adoption of a "United Front" program "does not mean that we are suggesting a merger politically with the Communist Party. A joint political ticket is definitely out."

He explained that the "United Front" action "means we are approving joint action with the Communists on specific projects such as a May day demonstration." The delegates adopted a resolution condemning anti-Semitism "in all its forms and manifestations." Tactics of Fascism "rest in part upon the discrediting and outright

persecution of minority groups, especially the Jewish people," the resolution read.

Another resolution endorsed the program of the Southern Tenant Farmers' Union.

INVESTMENT BANKERS' HEAD TO SPEAK IN CITY TONIGHT

Edward B. Hall, Chicago, to Address Mississippi Valley Group at Racquet Club.

Edward B. Hall of Chicago, president of the Investment Bankers' Association of America, and Alden H. Little, also of Chicago, executive vice-president of the association, were guests of the Mississippi

Valley Group at a luncheon today at the Racquet Club.

Hall will address a dinner meeting of the group tonight at the Racquet Club.

In his address today, Hall said investment bankers in the last 25 years have sold more than \$100,000,000 worth of railroad, public utility, industrial and municipal stocks and bonds.

Four Escape in \$2000 Night Fire. Fire of undetermined origin early today in the home of Patrolman Henry F. Swederska, 6218 Hancock avenue, caused about \$2000 damage to building and contents. Awakened about 12:40 a. m. by smoke, the policeman aroused his wife and four children, and all safely left the house.

SPECIAL ROSE SALE
30,000 PLANTS—100 VARIETIES
Dormant Plants, assorted — Only 15c Ea.
When ordered in lots of 6 each of 2 kinds or 1 dozen of a kind. Special Price, only \$1.50 Per Dozen.
We invite your inspection of our large stock of Evergreens, Trees, Shrubs, Roses, etc. Prices reasonable.
WESTOVER NURSERY CO.
7800 Olive Street Road WYdown 0202

35 KILLED IN AFRICAN MINE Cage Falls 5000 Feet in Gold Shaft; Occupants Drowned.

CAPETOWN, South Africa. March 30.—Thirty-four natives and one European were killed today when a cage in a gold mine at Durban fell 5000 feet, crashing into 30 feet of water.

The occupants were drowned.

Lindberghs Arrive in Athens. By the Associated Press. ATHENS, March 30.—Col. and Mrs. Charles A. Lindbergh arrived at the Island of Rhodes last night. They were expected to remain here today.

TEACHER KILLED WHEN AUTO COLLIDES WITH FRIEND'S CAR

Inquest Verdict of Accident in Death of Michael L. McDermott, Near St. Clair, Mo.

Michael L. McDermott, 35-year-old school teacher of Lonsdale, Franklin County, Mo., was killed early yesterday when his automobile turned over after colliding with another car going in the same direction on Highway 30, two miles east of St. Clair, Mo.

The driver of the other car, Joe Craig, employee of a general store at Oerman, Mo., was only slightly hurt, although his car also turned

over after the collision. He and McDermott were going home after having spent the evening together. They lived only a few miles apart and were friends.

McDermott suffered fractures of the skull and neck. A verdict of accident was returned at an inquest yesterday. Surviving are his mother, Mrs. Fannie McDermott; a sister, Mrs. Bernice Bruns, and four brothers, Leo, Philip, Edwin and Eugene McDermott. The last two live in St. Louis.

\$125,000 Fire at Lewiston, Mo. LEWISTON, Mo., March 30.—Fire early today destroyed two wooden blocks in the business section, causing damage estimated by police at \$125,000. Thirty persons were taken down on ladders from their apartments.

\$9.00 Round Trip
CLEVELAND
Next Saturday Night
Leave 6:00 p.m. Returning leave Cleveland 6:10 p. m. or 9:45 p. m. Sunday. Coach service.
Full particulars at 320 N. Broadway, MAin 4288, and Union Station, Garfield 6600.
BIG FOUR ROUTE

Compare!
OUR TRADE-IN ON TRUCKS
We offer better allowance now on new Reo Trucks in order to build up our stock of fast selling Used Trucks.
STEINER
AUTOMOBILE CO.
2626 Delmar Jefferson 2800
Let resultful Post-Dispatch want ads bring needed help.

GLASSES
EVERYTHING COMPLETE
● Thorough Eye Examination
● Lenses Prescribed and Fitted
● Beautiful Modern Frames
● All at One Low Price
Dr. D. W. Litley in Charge
ROGERS
302 N. SIXTH ST.
One Door North of Olive

Stop and Go every day

4 out of every 5 miles you drive are Stop and Go

STOP AND GO—it's the costliest kind of driving you do! You make 30 stops and starts in an average day's driving!

And starting up from a normal traffic stop can waste enough gasoline to take you one-third of a mile!

To cut down the waste of today's stop-and-go driving, Shell engineers have developed a way to "balance" gasoline.

This balancing process, by rearranging its chemical structure, makes Super-Shell "digestible" for your motor...just as cooking makes food digestible for you.

In fact, "Motor-digestible" is the best way

to describe this thriffter gasoline.

At all times—starting, shifting, accelerating—your engine gets the full benefit of Super-Shell's high energy content.

And you get the savings! There's a Shell station in your neighborhood. Stop in and have your tank filled with Super-Shell the next time you need gasoline.

SUPER-SHELL
SHELL

OFF

ROOKIE ERS HOLD REDBIRDS FOUR HITS

TUNG AGAIN!!

[illegible]

It was decided to play the fifth overtime session at 10 minutes, and it was announced that if no score resulted the teams would leave the ice for a brief rest while the surface was swept. By that time the ice was covered with shavings and badly cut up.

However, Red Mitchell dived through the St. Louis defense to

PHILLIES

FOR YEARS, AMERICA'S LARGEST-SELLING 10¢ BRAND

ONLY 5¢

can hold up his end, they may come through. However, it's likely Detroit will play a close checking game, at least during the first part of the clash, to protect the new goalie and they probably won't get many goals themselves.

LAFFOON TIES COURSE RECORD IN AUGUSTA OPEN PRACTICE

CHICAGO "PRO" GETS 65 SCORE IN SPITE OF A SIX ON NO. 9

Little Totals 67, While Bobby Jones Finishes With Par 72 in Workout for Meet Opening Thurs. day.

By the Associated Press.
AUGUSTA, Ga., March 30. — Ky Laffoon, veteran Chicago shot-maker, equaled Bobby Jones' course record yesterday by firing a seven-under-par 65 as outstanding links stars played their second warm-up rounds preparatory to the fourth annual \$5000 Augusta national tournament.

Opening his phenomenal exhibition with an average of three for the first eight holes, Laffoon took a disastrous two-over-par six on the ninth for a 30, one over the record 29 scored last year by Bobby Cruikshank of Richmond, Va.

The Windy City professional, coming in with a one-under 33, beat by two strokes the 67 scored by Lawson Little of San Francisco, who turned in the best performance he has ever posted for the national course.

Laffoon's sensational warm-up drew attention in a field that includes most of the country's top-notch golfers—among them Bobby Jones. The tournament begins Thursday.

Augmented by the arrival of Gene Sarazen of Brookfield Center, Conn., Victor Gienst of Deal, N. J., Harry Cooper of Chicago, Mass., Al Hartman of Detroit, and two outstanding amateur performers, Charles Yates of Atlanta and Fred Hix of New Orleans, the fairway elite tuned up for the 73-hole mid-play tournament in ideal weather.

Jones, tournament host who still draws the larger part of the spectators, despite a previous performance here, equaled par for the 15 holes he played.

The former "grand slam" champion admitted he was "hitting them well," but would make no prediction as to his chances in the tournament.

Close on the heels of the two low scorers was Paul Runyan, diminutive star from White Plains, N. Y., who put together rounds of 35-34 for a three under par 69.

Among the other scores were 72 for Jimmy Hines of Garden City, L. I., Ed Dudley, proffessional, and Sam Snead of White Sulphur Springs, W. Va.

Harold Grier, McSpadden, Byron Nelson, Johnny Revolta, Henry Picard and Jimmy Thomson all reported 72s, while Ralph Guldahl carded a one over 73. Denny Shute and Jess Sweetser finished 74 and 76 each. Yates had 78.

KANSAS CITY BEAGLE WINS ALL-AGE TITLE

By the Associated Press.
KANSAS CITY, Mo., March 30.—The Missouri Valley Beagle Club announced last night Crooked River Bouncer, owned by G. J. Lane of Kansas City, won the all-ages state for males and females in the championship tests here last week-end.

The 15-inch Derby for males and females was won by Elmina Judy, owned by O. D. Bibebe of Elmina, Huntelcker Amelia, owned by the Huntelcker Brothers of Hatfield, won the all-age and Hycamp's Derby and the pack race.

COLLYER'S SELECTIONS

At Oaklawn.
1—Ante Bellum, Eddie's Brother, Yan. Walter.
2—May Supreme, Booty, Pully Greenock.
3—Color Royal, Day Dawn, Toward.
4—Golden, Pully Greenock, Yan. Walter.
5—Crabtree, Oxford Lad, Speed Queen.
6—Silver Cloud, Peter Pumpkin, Bouncer.
7—Frank Ormont, Henry Day, Laura Kiv.
8—(Sub.)—Sorcery, Boot Time, Ross Path.

At Tanforan.

1—M. J. Brennan, Amqui, Nollis J.
2—Romey Royal, Day Dawn, Toward.
3—Playful Jock, Beesley, Too Little.
4—Shred, Dobson, My Pauline.
5—Idle Midget, Langorous Lady, Thirteen.
6—Polly Boy.
7—Fence Entry, Wedell-Goodman entry, Codd entry.
8—FIRST ENTRY, Emick entry, Round Table.
9—Richards, Langorous Lady, Thirteen.

At Arlington Downs.

1—Miss Webb, Jack Penn, Chalmers.
2—Royal Command, Ruffin Lad, De-lamaine.
3—Tranex, Jack O'Connell, Fleet of Gold.
4—Erk, Trystanbury, Bouncer.
5—Seven, Bouncer, Bouncer.
6—Caldwell, Bouncer, Bouncer.
7—Belle, Bouncer, Bouncer.
8—Belle, Bouncer, Bouncer.
9—Belle, Bouncer, Bouncer.

At Tanforan.

1—Hester, Tarn, Mink.
2—Wesley, Tarn, Mink.
3—Polly Boy, Pully Greenock, Bouncer.
4—HAPPY, Tarn, Mink.
5—Lakewood, Pully Greenock, Bouncer.
6—Hester, Tarn, Mink.
7—Hester, Tarn, Mink.
8—Hester, Tarn, Mink.
9—Hester, Tarn, Mink.

At Arlington Downs.

1—Speed Little, Farnside, Vola Malt.
2—Declaration, Miss Fitcher, Royal Command.
3—Tranex, Fleet of Gold, Wella's Boy.
4—Little Chora, The Tribulation, Erk.
5—Bouncer, Bouncer, Bouncer.
6—Caldwell, Pully Greenock, Bouncer.
7—Belle, Bouncer, Bouncer.
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GOOSE FEATHERS

T.O. New York, to New York, Jim Braddock to find; Home again, home again, Gone with the wind!

THERE was a young man from Berlin, Who wanted a title to win; He kept coming across, And when thrown for a loss, He tried it again and again!

SING a song of sixpence, a cock-at full of rye, Four and twenty fingers sticking in the pie; When the pie was opened they found it full of air; Now wasn't that enough to make a fight promoter swear?

RIDE a cock-horse to Banbury Cross, To see Jimmy Braddock give Schmelling the toss; Rings on his fingers and bells on his toes, He'll find a Sheriff wherever he goes.



JIM, Jim, the fighting man, Stole a march and away he ran; But Jim was caught and the fight was fought, And he was sent to the pen.

In the Circuit Court on a free-gate plan.

Harold Manders who pitches for Iowa U., is a cousin of Bob Feller. Bob also found that he had several "cousins" on the New York Giants.

As a matter of fact, Bob probably has more cousins in the major leagues than Bob Burns has Uncles in Arkansas.

Even Bill Klem went overboard for Feller. Bill has seen everything but he never saw anything like the curve ball Bob showed him. Said it looked like Walter Johnson's fast one.

IT'S A PRETTY CURVE

Diszy Dean inaugurated his 1937 debut by having a run-in with Unipire "Red" Ormsby, the Father of the American League. In spite of a chill wind that blew over the playing field of Dixie spit the plate with a few choice epithets which "Red" absorbed in mid-season form.

Dix yielded four hits and two runs but managed to get four to the strikeout route in three innings. Nothing to rave over but the season is still young.

An American bred dachshund won the award for the best dog out of more than 680 entrants at the Mississippi Valley Kennel Club's twenty-fifth annual show. It was a distinct triumph for the underslung type of chassid.

While we are kind of sorry we didn't get Henry Longfellow in we are glad an American won it.

Man O' War celebrated his twentieth birthday Monday. Owing to the limitations of space there was no family reunion.

The hiring of a professional track coach to teach the Dodgers how to run reminds us of the time Patsy Donovan, manager of the Cardinals, tried to make a ball player out of Bernie Wefers, at that time the world's champion sprinter. After a brief trial Patsy was convinced that while Bernie was still a great sprinter a guy had to get to third base before he could practice the crouching start.

RACING SELECTIONS

By LOUISVILLE TIMES

At Tropical Park.

1—Go Quickly, M. J. Brennan, Stone-roy.
2—Out of Step, Loyal Son, Romney Royal.
3—Irish Oak, Noble Lass, Too Little.
4—My Pauline, Noble Lass, Too Little.
5—Solestar, Noble Lass, Too Little.
6—True Chorus, Aragon, Winter Sport.
7—SOUTH 24th, First Over.
8—Hester, Tarn, Mink.
9—Hester, Tarn, Mink.

At Oaklawn.

1—Edith, Brother, Small Change, Bouncer.
2—Jackie, Bouncer, Bouncer.
3—Gibby, Chorus, Cuddles, Bouncer.
4—Solestar, Noble Lass, Too Little.
5—Solestar, Noble Lass, Too Little.
6—True Chorus, Aragon, Winter Sport.
7—SOUTH 24th, First Over.
8—Hester, Tarn, Mink.
9—Hester, Tarn, Mink.

At Tanforan.

1—Hester, Tarn, Mink.
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3—Polly Boy, Pully Greenock, Bouncer.
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At Arlington Downs.

1—Speed Little, Farnside, Vola Malt.
2—Declaration, Miss Fitcher, Royal Command.
3—Tranex, Fleet of Gold, Wella's Boy.
4—Little Chora, The Tribulation, Erk.
5—Bouncer, Bouncer, Bouncer.
6—Caldwell, Pully Greenock, Bouncer.
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FIVE SUBURBAN HIGH BASEBALL TEAMS TO HAVE VETERAN CLUBS

By Reno Hahn.

Suburban League baseball teams have a heavy schedule ahead of them for the week, with 11 games booked for this winter weather, including a game today, two tomorrow, four Thursday and four Friday.

Normandy opened its season yesterday despite the cold, and defeated Beaumont, 7-5, at Normandy in the first of a five-game series. A game today at Beaumont will be followed by games the next three days of the week with the teams alternating between the two school diamonds.

Five of the eight Suburban squads have eight letter men returning, with prospects for an excellent season. They are Maplewood, which has a new coach, Oliver Wagner, the assistant football coach; University City, Normandy, Ritenour and Kirkwood. Wellston has seven veterans back, while Clayton and Webster have only three each back. Those two schools, however, have many reserves from last year's team returning.

While there is no official league, all of the schools play each other so that a championship team can be determined.

St. Charles does not have a baseball team, confining its spring activities to track.

Normandy's victory over Beaumont came through a second-inning error when it scored six runs. Beaumont confined its run getting to one inning, the fourth, when it tallied five times. A single, an error, a sacrifice and then four singles in a run, gave Normandy its six runs.

In another high school contest yesterday, St. Louis University High School's pitchers showed great promise as they held Saldan to one hit and blanked the City Leaguers, 6-0. Sinclair, Segura and Sergio worked for St. Louis University High School's double in the first frame with the bases filled gave the winners three runs.

SUBURBAN SCHEDULE
Today—Normandy at Beaumont.
Tomorrow—Beaumont at Normandy.
Friday—Clayton at University City.
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ATTICE

by J. Roy
5 Stockton

in the war club. Frisch
attention to it and in-
after changing, Terry
the ball to the fence.
st be something that
about his hitting. He
s and strong muscles,
been and much too
him to hit only 364.

Entertainment
RCER, one of the wit-
the press box wags,
e way worked in St.
he made the New
boxes more pleasant
ait, has started a new
the baseball writers,
gest things to bid and
aining the other day,
Cardinals were playing
s. Here are some of
names and the occu-
y suggest to Mr. Mer-

Grimes, an old squirrel,
Hemphill, a band leader,
Hemphill, a dude,
Hemphill, a city slicker,
Hemphill, Jim Bivin and
three cowboys,
Jordan, a stage coach

a rustic,
wick, a lamp lighter,
eridge, a roofer,
Hemphill, an interior

Nally, a baseball player,
Pitcher.

JOHNSON, obtained
fronto, via Cincinnati,
has been working
earnestly this spring
has been overlooked
servers. But Johnson
certain to remain with
als, and he ranks high
men who will pick the

was a great prospect
with the Cincinnati
he never quite reached
at observers predicted
he knows how to pitch
may be his year. He
his tonsils during the
will be given a thor-
during the champion-
He is experienced,
and a good curve and
vantage over younger
for the staff in that
about the National

STANDINGS

	Wins	Losses	Pct.
1936	1630	9	2
1937	1630	9	2
1938	1630	9	2
1939	1630	9	2
1940	1630	9	2
1941	1630	9	2
1942	1630	9	2
1943	1630	9	2
1944	1630	9	2
1945	1630	9	2

More Quality
little
ost

FIELD CLUB
OVER LEAT
SILTZER & SODA CO.

70
fine roll-your-
own cigarettes
in every 3-oz
tin of Prince
Albert

ALBERT gives
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bite" process.
ut" to draw
Try P. A. in
too. It's The
Joy Smoke!

ALBERT gives
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Try P. A. in
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Joy Smoke!

MAYOR CAUTIONS HIS WORKERS TO 'KEEP PLUGGING'

Opening Last Week of
Campaign, He Avoids
Mention of Any Charges
Made by Remmers.

'WHAT YOU DO ON FIRING LINE COUNTS'

This Is His Word to Or-
ganization at Five Meet-
ings—Talks of Street
Improvements at Sixth.

Opening the final week of his
campaign for re-election, Mayor
Bernard F. Dickmann spoke last
night at six Democratic meetings,
keeping to his original plan of cam-
paigning on his record of the last
four years, and avoiding any men-
tion of the charges made again his
administration by Oliver T. Remmers,
his Republican opponent.

At five of the meetings, attend-
ed almost exclusively by ward par-
ty workers, the Mayor stressed or-
ganization work for the election
April 6, warning against over-con-
fidence and remarking that he
always liked "to run scared," that
count so much as what you people
do on the firing line," he told a
meeting of the Eighth Ward organi-
zation at St. Joseph's Hall, Twelfth
and Russell boulevards. "A lot of
you figure the Mayor and the
Democratic ticket are in—there's
nothing to worry about. Bill Igoe
could have been elected Mayor in
1935 if you had brought out a few
more votes and the same goes for
Larry McDaniell in 1936. It's never
in the bag until the votes are in
and counted. Keep plugging and
we'll put this ticket over by the
biggest majority a Democrat ticket
ever received in St. Louis."

Prepared Speech on Streets.
The Mayor's speech at the sixth
meeting, a mass meeting for the
Twenty-fourth, Twenty-fifth, Twenty-
sixth and Twenty-eighth Wards,
at 4901 Delmar boulevard, was a
prepared address devoted entirely
to accomplishments of the Depart-
ment of Streets and Sewers in the
last four years.

Projects completed by the Streets
Department in the last four years
which the Mayor cited, included re-
moval of the grass plot in the center
of the Lindell-Union traffic
circle, which the Mayor described
as a traffic hazard; installation of
traffic signals at Lindell and Kings-
highway; elimination of the street
car parkway in the center of
Delmar boulevard, between Kings-
highway and Clara avenue; re-
surfacing of heavily traveled
streets, and laying of non-skid pave-
ment on sheet asphalt thorough-
fares.

"In addition to these jobs, which
were handled exclusively by the
Street Division, this division also
secured Federal aid which enabled
the resurfacing of Manchester ave-
nue from Kingshighway to Maple-
wood and Broadway from Baden
to Carondelet," said the Mayor.
"Bear in mind, my friends, that
these improvements were made de-
spite the fact that the appropria-
tion, and consequently the number
of employees in this division were
decreased 50 per cent. These ac-
complishments by any gauge or
measurement, be it yards or tons,
are double the best performance of
any prior city administration."

Motivated Garbage Unit.
The Mayor also told of the com-
plete motorization of the garbage
collection division, and declared
that the city now sells much of its
garbage to farmers for \$1 a ton,
whereas, in previous administra-
tions, the city had paid 34 cents a
ton to have it disposed of.

"All of this," said the Mayor, "has
been accomplished through the past
four years while this department
was saving \$2,833,000 for the tax-
payers of St. Louis."

At the conclusion of his prepared
speech at the mass meeting, the
Mayor made one of his brief refer-
ences to the opposition.
"I get a great kick out of this,"
he said. "They say the smoke ordi-
nance is bunk. Nevertheless, I'll
say that after I've been on the
sixth of April, and in office for an-
other four years, we'll be able to
reduce smoke 40 to 50 per cent by
autumn, and perhaps entirely, in
four years."

Calls for Biggest Vote.
Dickmann spoke informally at the
ward meetings, talking almost
entirely of organization work, and
telling party workers to "get out
the biggest vote in the history of
the Democratic party in St. Louis"
on April 6.

"You women, especially," he said.
"Call up your friends in the morn-
ing and talk a little politics to
them. Call them up on election
day and remind them to vote.
Then, later in the day, call them up
again and, if they haven't voted,
tell them your husband or your
boy friend or someone will be over
in a car and take them to the polls."
"There is no Democrat working
harder in this campaign than your
Mayor. You owe it to our won-
derful President to keep this city Dem-
ocratic. Take that booklet, 'St.
Louis Forward,' read it, study it,
know it by heart, and get out that
vote on April 6. Vote that ticket

Hoboes' Leader Discusses Jobs, Coming Convention

King Jeff Davis Reports
More Members Working
—50 Delegates to Attend
Meeting in St. Louis
Next Month.

Jeff Davis, King of the Hoboes,
received the press in his "throne
room" at 13 South Ninth street yester-
day with an announcement of
plans for the twenty-ninth annual
convention of the Hoboes of Ameri-
ca, to be held here eight days be-
ginning April 10.

The room is an unheated store
with peeling walls. A desk of planks
and an old leather chair are the
only furniture. But everything is
bravely decorated with big Ameri-
can flags and bunting, and King
Jeff, with his top coat on to keep
warm, was quite cheery as he greet-
ed a Post-Dispatch reporter and
surrendered his "throne" for the
visitor's comfort. His sharp face
glowed and his bright brown eyes
snapped eagerly, and he immedi-
ately went into a monologue in a
downy accent, a swift, sure patter
that showed his early training as a
pitch-man and vaudeville artist.

"Hobo Not a Tramp or Bum."

"Do you know the difference be-
tween a hobo, a tramp and a bum?"
he asked. "A hobo will work, a
tramp won't, and a bum couldn't if
he wanted to. A hobo believes the
world owes him an opportunity. A
tramp thinks the world owes him
living. We were forced to organize
in 1908 to protect our good name
from people who might confuse us
with tramps, and we've had to
watch it ever since. Why, the pa-
pers even published a story that a
hobo had kidnapped the 'Watson
kid! We told the G-men right away.
'Cut that out, he wasn't no hobo,'
and sure enough they retracted it
three days later. Why we had a
thousand letters of protest from
members on that. The bulls began
raiding the jungles from coast to
coast."

"We got 815,000 American mem-
bers now, and 200,000 in England,
60,000 in Canada and 70,000 in Ger-
many in our international organi-
zation. Half of our American mem-
bers have got jobs and are making
dough now. We have taken in a
few hitchhikers, but we don't usual-
ly take no scenery bums. Our boys
try to get jobs wherever they go,
they're respectable, understand? A
hobo isn't a stemmer, he begs only
when he has to. He don't hit the
smoke like floaters do, and when
he drinks he drinks good liquor."

Columbus and Forty-niners.
Then he was off on a historical
tangent until verbally tackled. "Col-
umbus was a water hobo. He said
to Isabella, 'Queeny, old gal, you'll
have to stake me with a handout.'"
The forty-niners: They were
hoboes. They were broke, hitting
it out across country trying to pick
up a job."

From there, it became a matter
of famous ranchmen, Floyd Gibbons,
Charles Chaplin, Bob Burns,
Lowell Thomas, Jack Dempsey,
George Arliss, Senator Royal S.
Copeland, Harry Hopkins, they're
all members in good standing, and
with union cards. Some of them
have been made "Knights of the
Road" by King Jeff. The qualifi-
cations for membership are to have
been hungry away from home.

"Ain't you been out hungry, on your
own, at one time?" the King asked
the reporter. "Society you have,
here's a membership card."

One of the banes of a royal ex-
istence, the King confided, step-
ping up his chatter a bit, are the
suspensers who spring up every year.
Jeff I is the first and only "King
of the Hoboes," he made clear, first
elected in 1908 when he incorporat-
ed the Hoboes of America, and
elected for life at the 1935 Pitts-
burgh convention. There are three
of those "fakes, four-flushers and
imposters" now current. He warns
the public against them in the lat-
est issue of his magazine, published
at the Hobo headquarters in Cin-
cinnati. He proudly showed a let-
ter from one of them, in which its
writer absolutely groveled in ad-
mitting the fraudulency of his own
claims and the majesty of King

straight." At a Sixteenth Ward women's
meeting at Grand boulevard and
Park avenue, the Mayor remarked
facetiously that he was "almost
afraid to go out any more. My
necktie may not be on right and
they may use it against me."

"Democrats Know How."

In the Second Ward, at North
St. Louis Turner Hall, Twentieth
and Sellers streets, the last meet-
ing of the evening, Dickmann re-
laxed, dropped his oratorical man-
ner, and spoke in a conversational
tone.

"We have no apologies to offer for
our record," he said. "We
suggested that the Democrats
know how to run this town. You
know, that's how I came to run for
Mayor in the first place. I got
tired of paying the freight for the
Republican party that had been do-
ing nothing but building a political
machine for 34 years."

Dickmann's other speeches were
delivered at a Ninth Ward meeting
at 2801 South Eleventh street, a
brewery ward, where he told party
workers "it would be a shame if
this ward goes Republican after
what the Democrats have done to
bring the breweries back," and at a
Fourteenth Ward Young People's
Dickmann-for-Mayor Club at Grand
boulevard and Arsenal street.

Boogher Surprised at Pledges of
Support Received.
Lawrence Boogher, Democrat
nominee for city clerk, said at a
ward meeting last night that he
had been surprised to receive

"KING OF HOBOES"



By a Post-Dispatch Staff Photographer.
JEFF DAVIS

Jeff Davis, King of the Hoboes, is seen here in his "throne room" at 13 South Ninth street.

Scrap Book on Publicity.
Then out came a fat yellowed
scrap book from beneath a mass of
papers. It was Jeff's publicity. He
had a lot of it, collected by the
hoboes' own clipping bureau, Jeff's
picture with Mrs. W. K. Vanderbilt
and Mrs. William G. McAdoo sell-
ing Liberty Bonds during the war.
King Jeff dined by the Union
League Club in 1918. King Jeff
made governor for a day of Michi-
gan, and then Ohio. King Jeff
"denying rumors of his retirement
which have disturbed the stock
market." Speaking before school
kiddies—he has talked to 12,000,000
of them, according to his own fig-
ures—telling them to "Stick with
Mom," and "Don't run away from
home and the best mother a fellow
ever had." Computing his box-
car and water mileage—99 coast-
to-coast trips, five times around the
world—as 800,000 miles.

Now that he's 55 years old, and
has two married children, he usu-
ally travels respectfully in day
coaches with his wife, but once in
a while he ships her on ahead in
a passenger train and hops a
freight. His hobo union charges no
dues, he is paid no salary, but he
makes a living at odd jobs—in fact,
he keeps his office closed morn-
ings while he moves furniture or
sweeps sidewalks. He had a good
job until last autumn—working for
a tobacco company trying to teach
all his union friends to chew to-
bacco. He has cards in 72 labor
unions and carries them all in one
vest pocket.

Business for Convention.
The convention will be held at
Distributors Hall, 9 North Sixth
street. A lot of "important busi-
ness" will come up for the 50 dele-
gates. The crusade against fake
employment bureaus and fake mis-
sions, for example. Furthermore,
the work of the "jungle bulls," the
organization's own detective force,
to return runaway boys to their
parents. And a proposal to name
a St. Louis public school after the
late James Eds How, "the million-
aire hobo," once a St. Louisan.

The hobo's recommendations are
taken seriously. The record shows
that. In 1907, the hoboes proposed
Federal employment bureaus and
they have been established. In 1915
they demanded damming of the
Ohio and Mississippi Rivers at cer-
tain points, and haven't that been
done? The organization helped in
World War work, and in 1935 told
Harry Hopkins he had best put
single men on W. P. A. work to help
out hoboes, so Harry obliged. Then
those tunnels through the moun-
tains on the highway from Harris-
burg to Pittsburgh, Pa. It looked
as if the project would fall through,
but King Jeff issued a statement
in a Pittsburgh newspaper demand-
ing them as an aid to hill-weary,
ride-begging travelers and the set-
tled the matter. The tunnels were
built.

pledges of support from a number
of voters whom he supposed to be
supporting his opponent, Comptrol-
ler Louis Nolt.

"I believe I am getting these as-
surances," he said, "because the
citizens of St. Louis are recogniz-
ing that I possess the qualifications
for this important office."

"The City of St. Louis," Boogher
said, "has enjoyed high prices for
its bonds for many years. This
was true in the early 1900s and has
been true since. My financial train-
ing has given me a knowledge of
bond issues and money markets
which will make it possible for this
city to continue to enjoy, in the
years ahead, the same high finan-
cial rating that it has enjoyed in
the past." He added a pledge to
do all in his power, if elected Com-
ptroller, to keep the city's budget
balanced.

Produce Handlers Win Pay In-
crease.
By the Associated Press.
BUFFALO, N. Y., March 30.—
Normal sales of fresh fruits and
vegetables for western New York
hoboes were resumed here today
after settlement of last week's
short-lived strike of produce han-
dlers. 30th of the main markets
have reopened. Late last week the
strike threatened to cause a fruit
and vegetable shortage in this area.
Terms of the settlement, the Re-
gional Labor Board announced, in-
cluded a 45-hour week, a minimum
wage of \$2.25 and an incentive of 10
per cent for all earnings under

FIRE CAPTAIN'S WIFE TELLS OF HIS ROMANCE

Says Winnetka Man, Who
Seeks Divorce, Was Attentive
to Mrs. Albert S. Gardner.

By the Associated Press.

CHICAGO, March 30.—An alleged
romance of David J. Wood, Win-
netka fire captain, and the socially
active Mrs. Caroline de Windt
Gardner, was charged yesterday by
Mrs. Gertrude Wood, who asked for
separate maintenance in answer to
her husband's divorce suit. The
case was before Circuit Judge
Joseph Burke.

Mrs. Wood's bill asserted her hus-
band had been too attentive to
"Carol G." Under questioning yester-
day she named the "Carol G." as
Mrs. Gardner.

A letter alleged to have been
written to Wood by "Carol G." was
introduced in court.

Mrs. Gardner is a descendant of
President John Adams and wife of
Albert S. Gardner, former head
of a stationery company. She is
the mother of two children.

Mrs. Wood said she found the let-
ter in her husband's pocket.
It began: "Oh, my Dave, I
went on from there, about 1000
words and a postscript. It was
signed 'Your Own Adoring Carol.'"

The letter was delivered last Nov.
34. The writer chided the captain
for his decision not to see her on
the week-end after Thanksgiving,
and urged him to reconsider. Mrs.
Wood said she found the letter the
same day.

Wood denied on the witness stand
today he had carried on a romance
with Mrs. Gardner.

Gardner, a nephew of a former
Governor of Missouri, now resides
in Chicago while his wife lives in
Barrington. He said they lived
apart "only for business expedi-
ency" and are on "the friendliest
terms."

"Most people do some fool thing
once in their lives," he told inter-
viewers.

64 RETURN AFTER SCHOOL BLAST; CHECK OF DEAD MADE

London (Tex.) School Principal Futs
Toll at 235, Red Cross
at 455.

By the Associated Press.
LONDON, Tex., March 30.—Lon-
don school authorities in a pre-
liminary check yesterday ac-
counted for 231 pupils killed in the
explosion 11 days ago. Troy Duran,
high school principal, expressed
doubt the total would be more than
235.

The Red Cross, which earlier had
announced its survey showed 455
dead, still was checking.
Duran said 104 high school
students and teachers had been
killed, so far as he was able to de-
termine. F. F. Wagner, elementary
principal, said his checkup showed
187 grade pupils dead.

At an assembly yesterday, teach-
ers called the roll and students ac-
cused in determining whether
those not present were dead or
alive. The officials said about 180
students did not report yesterday.
Only 54 of the original high
school enrollment of 200 were pre-
sent. In the grade school section,
123 were checked from an original
list of 205.

No gas stoves were lighted. Wood
from the debris of the building
furnished the fire for the outdoor
assembly, held preparatory to re-
suming of classes today.

W. C. Shaw, superintendent of
schools, said 19 surviving teachers
would finish out the school year.

FORMER POSTOFFICE CLERK SENTENCED FOR STAMP THEFT

Gets Six Months in Jail for Steal-
ing \$21 in Postage—Six Post-
master Fined.

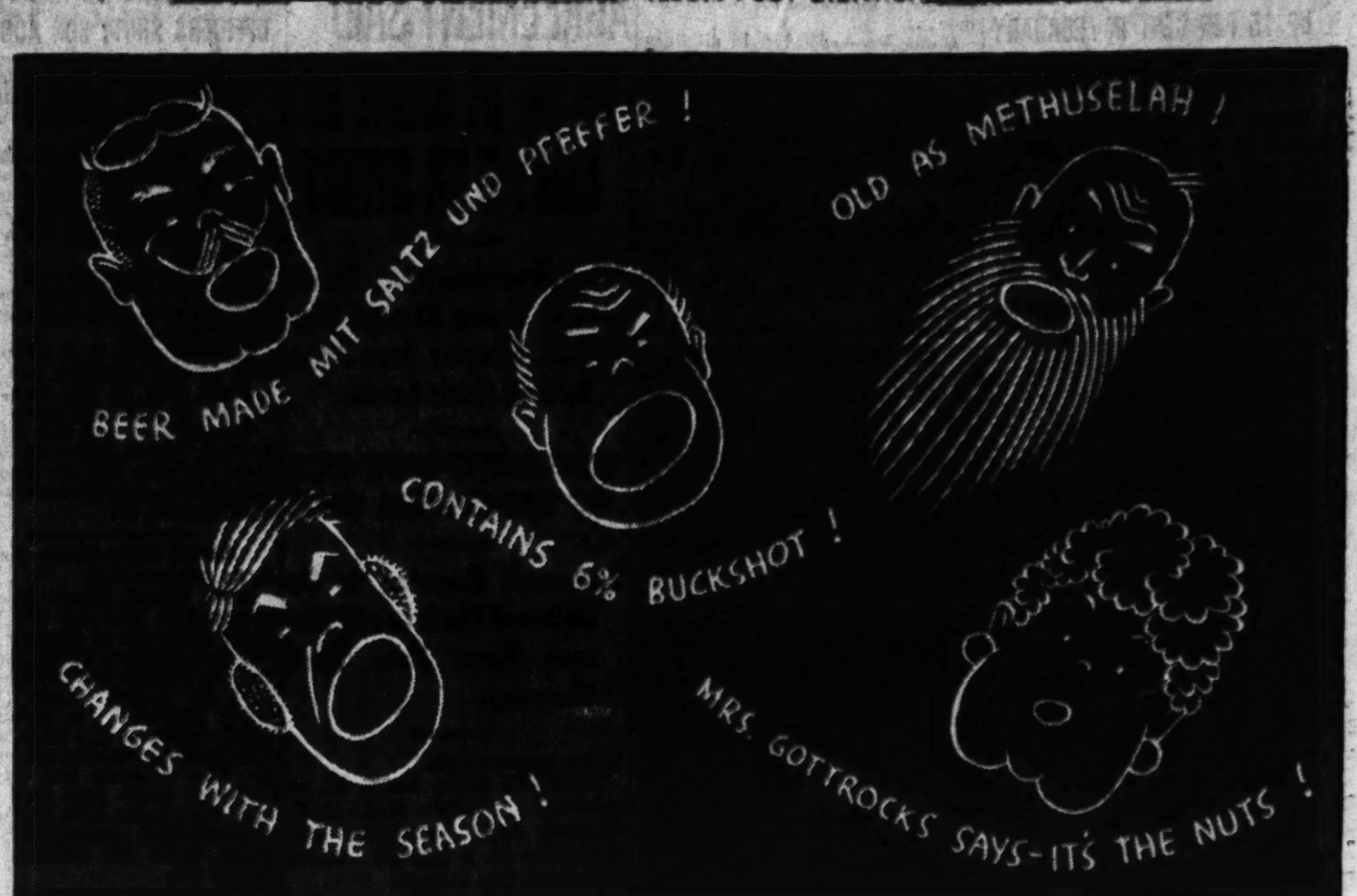
John J. Havelka, former clerk at
the Proctorius Branch Postoffice,
3501 South Jefferson avenue, was
sentenced to six months in jail yester-
day by Federal Judge George
H. Moore on his plea of guilty of
stealing \$21 in postage stamps. His
case was turned over to probation
officers for investigation. Havelka
is 56 years old.

J. R. Thompson, former Post-
master at Jonesburg, Mo., was pa-
roled for one year after he plead-
ed no contest to a charge of con-
verting \$225 in postoffice funds to
his own use and was sentenced to
nine months in jail. Married and
the father of five children, Thomp-
son also was a member of the
Jonesburg School Board.

The court was told he took the
money to pay creditors who had
complained to his superiors. He said
he intended to repay the money,
but had not done so when the
shortage was discovered by super-
visors Jan. 19. He repaid the money
shortly after his dismissal. Thomp-
son is now driving a truck between
St. Louis and Kansas City. The pa-
role was recommended by Parole
Officer Milton Wolfenbach.

Fire Put Out in Prison Mine.
By the Associated Press.
LANSHING, Kan., March 30.—
Flames which choked shafts of the
Kansas State penitentiary coal mine
with smoke throughout much of
the night were extinguished this
morning. Twenty convicts and two
guards in the mine when the fire
was discovered, were brought to the
top safely.

President Proclaims Army Day.
WASHINGTON, March 30.—Pres-
ident Roosevelt directed today that
April 6—the twentieth anniversary
of America's entrance into the
World War—be designated as Army
day. His proclamation ordering
military units to observe the day in
appropriate observance did not
mention the anniversary.



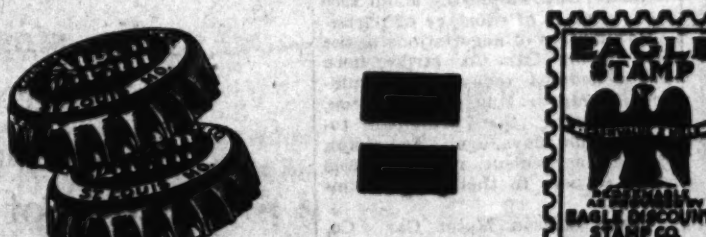
After all the SHOUTING

Nothing out of a Bottle
Finer
out of a Bottle

We could say Alpen Brau tops all other beers like the Alps top a couple of molehills—that our secret formula is more of a mystery than the Missing Link—that socialite dowagers faint with mortification when any other beer is offered to them—that our brew is so aged its beard has turned white! Sure, we could say all that—but you probably wouldn't believe us!

So all we do say is this—drink a bottle of Alpen Brau. It quenches a healthy thirst in a hurry—yet the memory of its rich, mellow flavor lingers on. This grand Alpen Brau is just as wholesome as it tastes—because it's brewed right, of the right ingredients. Drink up! There's nothing finer out of a bottle!

Ask for Alpen Brau at taverns and stores—and remember to save the caps for Eagle Stamps.



2 ALPEN BRAU BOTTLE CAPS GOOD FOR 1 EAGLE STAMP AT THE FAMOUS-BARR STORE



ST. LOUIS RETAIL STORE SALES
UP 15 PER CENT IN FEBRUARY

Figure for 234 Independents in Comparison With 1936 Month: Gains in All Lines.

Retail sales of 234 independent stores in St. Louis increased 15 per cent in February, compared with the same month last year, or 20 per cent when allowance is made for the extra day in February last year, it was announced today by the Bureau of Foreign and Domestic Commerce.

For the State as a whole the in-

crease was 11 per cent, or 16 per cent, with allowance for the shorter month.

Gains were reported in all lines of business and were most marked in the sales of lumber and building materials, where the increase was 119 per cent. Sales of motor vehicle dealers were up 44 per cent; hardware dealers, 28 per cent, and jewelry stores, 21 per cent.

Pay Advance in Ship Yard.

CHESTER, Pa., March 30.—The Sun Shipbuilding & Dry Dock Co. announced today an hourly wage increase of 4½ cents for its 3,850 employees.



MISSISSIPPI VALLEY TRUST CO

Join the Thousands Who Are Saving Again This Year

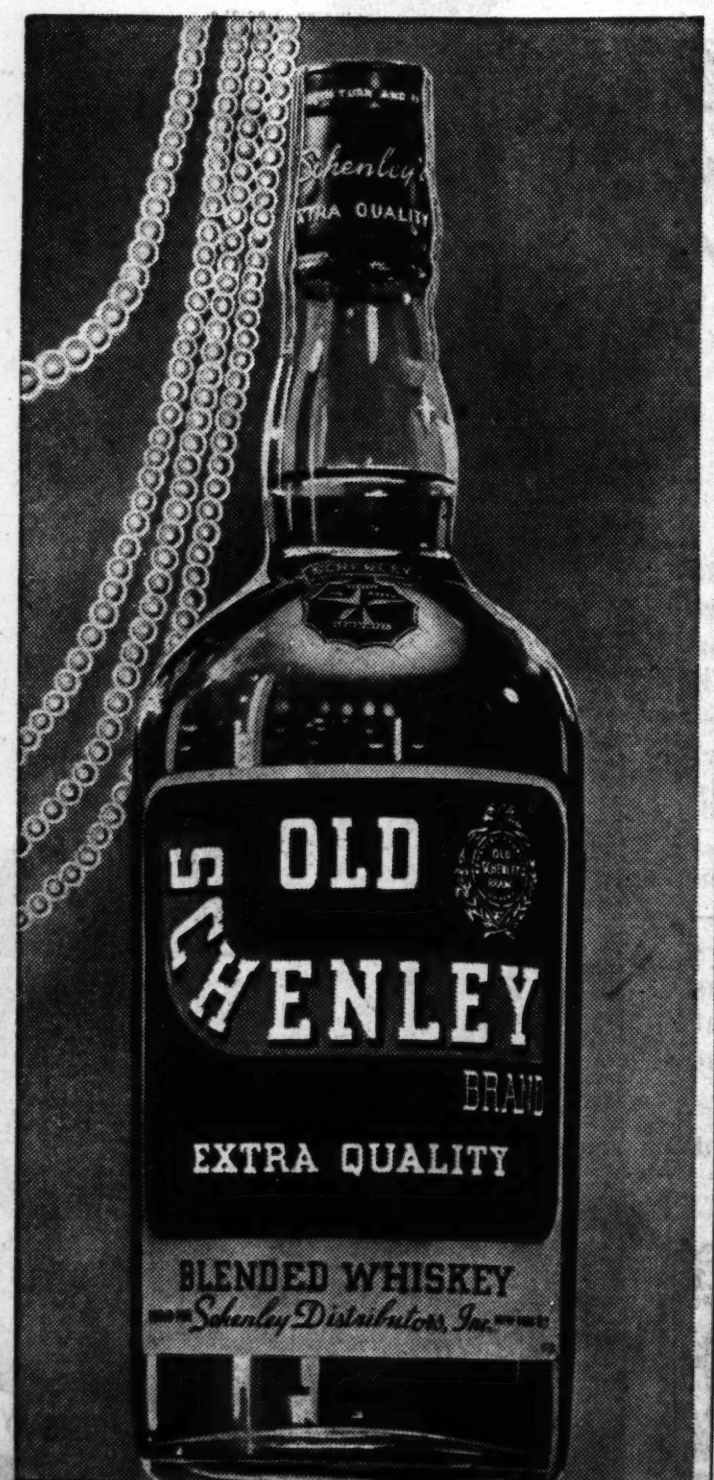
\$1 Opens an Account at Mississippi Valley Trust Co.

Special SAVE-BY-MAIL Envelopes

Broadway and Olive

Open Mondays Until Six

MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION



A JEWEL

of Rare Richness from the House of Schenley!

AGREEMENT SAID
TO BE IN SIGHT IN
CHRYSLER STRIKE

Misunderstandings Gradually Being Cleared Up, Gov. Murphy Says After Talking With Lewis.

'EXCLUSIVE' LEFT OUT OF BARGAINING TALK

Statement Expected to Be Deferred Until Lewis' Return From New York Thursday.

By the Associated Press.

LANSING, Mich., March 30.—Informed sources said today Chrysler strike negotiations had progressed to a position where agreement was in sight.

An air of expectancy prevailed when the conference, now in its seventh day, was called for its twelfth session at 11 a. m.

Little remained, some observers close to the proceedings said, in the composition of differences in the dispute, which for more than three weeks has kept idle 60,000 Chrysler Corporation employees and thousands of wage earners in related fields.

Sources close to Gov. Frank Murphy made these points in arguing that an agreement was imminent: Conferences have continued without interruption; sit-down strikers have been evacuated; at no time has there been any intimation that the conference would blow up; the principals understand each other and know about how far each will retreat; the time is psychologically ripe for a meeting of the minds.

Lewis' Return Awaited.

An authoritative source demanding anonymity said last night an agreement was "possible but not probable" within 24 hours. This source said an agreement probably would be deferred until the return of John L. Lewis, chairman of the striking United Automobile Workers.

Lewis went to New York Sunday to participate in a soft coal contract parley. He is expected back in Michigan by Thursday.

Stressing that Lewis continued in the foreground in the negotiations, a report grew today that an adjournment until he returned was likely today. Continuation of the conference despite his departure occasioned some surprise, since previously Gov. Murphy had said the talks would be discontinued several days to accommodate both Lewis and Walter P. Chrysler, chairman of the automotive corporation. Chrysler, however, stayed on, as did all other representatives of the opposing factions.

"Misunderstandings are gradually being cleared up," the Governor said last night in reply to questions about progress. "I believe that as a result of the long conferences this far, a growing confidence has been established between the parties."

Murphy talked with Lewis by telephone, but declined to discuss the conversation beyond calling it "satisfactory."

Conciliator Visits Both Groups.

The eleventh session adjourned late yesterday afternoon, but conferences on both sides appeared engrossed thereafter in group discussions, and James F. Dewey, Federal labor conciliator, visited both groups.

Information eked from the principals indicated the word "exclusive" had been abandoned in discussing extent of the bargaining power to be given the union, and that the settlement expected was one which would recognize the freedom of Chrysler employees to deal through whomever they choose, while assuring the union its strategic position would not be endangered.

The strike, which has closed eight large Detroit plants and smaller ones in Indiana and California, was felt today in Canada. The management of the Chrysler Corporation of Canada announced it would close two factories in Windsor, Ont., employing about 2,000 men, because of shortage of parts.

Resumption of negotiations in the Reo Motor Car Co. strike here was scheduled today under guidance of Mayor Max Baughman, who brought the principals together nine days ago. Templeton said an agreement, restoring 2,200 wage earners to their jobs, was imminent.

Three Hudson Motor Car Co. plants in Detroit still were strike-bound. Negotiations were abandoned more than a week ago. Union officers said the next move must come from Hudson representatives.

Approved as Chief Chaplain.

By the Associated Press.

SPRINGFIELD, Ill., March 30.—Gov. Homer approved yesterday the promotion of Maj. Arthur F. Ewart of Danville to chief chaplain of the Illinois National Guard, with rank of Lieutenant-Colonel. He succeeds Joseph M. Longman of Menominee, Ill., who held that post since June 14, 1929. Col. Ewart is pastor of the First Presbyterian Church at Danville. He is a graduate of the Illinois College at Jacksonville and of Princeton Theological Seminary.

MAN KILLED, WIFE AND TWO
OFFICERS SHOT; SON ACCUSED

Troopers Wounded by Assassin As They Answered Friend's Call to New York Hamlet.

By the Associated Press.

TROY, N. Y., March 30.—Edward H. Ireland, 75 years old, was shot to death, and his 74-year-old wife was seriously wounded today at Leatham, a hamlet eight miles north of Albany.

Two State troopers, called to the village by a priest, were shot and wounded by a man they identified as Ireland's son.

State Troopers P. J. Fitzpatrick, shot in the shoulder, and C. J. Kanior, shot in the arm, were brought to a hospital here.

The troopers and the Rev. Michael J. Dwyer, pastor of St. Ambrose Catholic Church, who summoned them, said the assailant was John Ireland, 40.

United Cigar Stores Plan.

By the Associated Press.

NEW YORK, March 30.—A reorganization plan for the United Cigar Stores Co. of America which has been approved by all classes of security holders and creditors was filed in United States District Court yesterday. A hearing at which terms of the plan will be considered further was set for April 19.

The company was adjudged bankrupt more than four years ago. Two years later the present reorganization proceedings were begun under the national bankruptcy act.

LUMBER or MILLWORK See Us **SAVE MONEY**
1-2 Floor and Drop Siding, \$4.50 1-2-3 Panel Doors, \$2.35 AND UP
Per 100 Sq. Feet — All Sizes —
Get Our Low Prices on Stock and Special Millwork
4300 Natural Bridge **ANDREW SCHAEFER** CO. 0375

WESTMINSTER ALUMNI MEET

\$2,000,000 Program for College at Fulton Dismissed.

A program to increase the resources of Westminster College, at Fulton, Mo., by \$2,000,000 was discussed last night at a meeting of the Forest Park Hotel. A new library and science hall are being planned.

Harry Vaughn of the class of 1919 was elected president of the St. Louis alumni. T. W. Freeman was named vice-president and Francis M. Keener secretary-treasurer. Dr. Frank L. McCluer, president of the college, and Russell L. Dearmont, member of the Board of Trustees, were the principal speakers.

\$5.00

CINCINNATI

Round Trip in Coaches
Lv. St. Louis—11:25 p. m. next Saturday.
Returning, Lv. Cincinnati 12:10 a. m. Monday (Midweek Sunday)

Plan your summer vacation now! Write, Phone or Call for Folder.

ALL EXPENSE TOURS
Washington, D. C. \$42.00
New York (Circle) \$95.00

326 N. Broadway, CH. 2500
Union Station, CH. 6500

BALTIMORE & OHIO

Waitress Refuses Beer to King

By the Associated Press.

BASEL, Switzerland, March 30.—Count de Rethy left his early morning train today to get a glass of

beer at a station buffet.

"It's too early to sell beer," the bar maid said. The customer drank a glass of water and returned to his sleeping car. As the train was pulling

out the waitress was told by other

travelers that she had denied King his beer. It was King Leopold III of Belgium, traveling incognito.

Who said—



"The best start for a cool gin drink is Gilbey's."

It's a favorite saying of men who know good gin from one end of the earth to the other! Start your favorite drinks with Gilbey's.

NATIONAL DISTILLERS PRODUCTS CORPORATION, N. Y. C.

GOOD DRINKS BEGIN WITH

GILBEY'S GIN

DISTILLED LONDON DRY

MADE FROM 100% GRAIN NEUTRAL SPIRITS

Janet Gaynor says:
"Leading artists of the screen
prefer Luckies"

"I live at the beach most of the year and there is hardly a weekend that a number of friends don't drop in. Naturally, I keep several brands of cigarettes on hand for guests, but the Luckies are always the first to disappear. I suppose it's just natural that Luckies would be the favorite brand because most of my friends in pictures have discovered that the long hours of rehearsing and shooting at the studio place a severe tax on the throat. Leading artists of the screen prefer Luckies because they are a light smoke that sympathizes with tender throats."

Janet Gaynor

FEMININE STAR OF DAVID O. SELZNICK'S
TECHNICOLOR PRODUCTION OF "A STAR IS BORN"

An independent survey was made recently among professional men and women—lawyers, doctors, lecturers, scientists, etc. Of those who said they smoke cigarettes, more than 87% stated they personally prefer a light smoke.

Miss Gaynor verifies the wisdom of this preference, and so do other leading artists of the radio, stage, screen and opera. Their voices are their fortunes. That's why so many of them smoke Luckies. You, too, can have the throat protection of Luckies—a light smoke, free of certain harsh irritants removed by the exclusive process "It's Toasted". Luckies are gentle on the throat.



THE FINEST TOBACCO—
"THE CREAM OF THE CROP"

A Light Smoke
"It's Toasted"—Your Throat Protection
AGAINST IRRITATION—AGAINST COUGHEditorial
Daily

PART THREE

COURT DECISION
STARTS STOP
SENATE D

Ashurst, Who H
claimed His Incom
Says Judges M
Heard of Reman

HOLT CHARGES
USE OF PATR

Wheeler Declares
Lemke Act Was E
in Accordance V
cision.

By the Associated Press.

WASHINGTON, March 30.—A monotonous debate started at yesterday when the Court handed down its decision holding the Frazier-Lemke mortgage moratorium, the ton minimum wage law and railway collective bargaining.

The Senate was calm. President Roosevelt's enlargement of the Supreme word came of the court. Senator Robinson, leader, touched off the when he interrupted Wheeler (Dem.), Mont. ponent of the President to shout that the Sup had "completely reverse the minimum wage case." Senators Wheeler (Dem.), Tennessee, Ash Arizona, and others jumped into the fray, morning to be heard at time.

Wheeler attacked "seek to destroy the Sup or the public's confidence."

Ashurst, who gleefully his inconsistency to the month ago, asserted the preme Court must have his remarks and governed it cordingly.

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During Robinson's Wheeler interjected: "Senator is delighted."

Pounding a desk, the leader shouted: "Of co lighted. I've never b understand the theory of Supreme Court held the or the District of Col num wage law unco But what happened to and children who, on the previous New York sion, had to return to shops? I am glad the court has completely and recognized the overruling its former

"Talk about accepti preme Court decisions blindly and as being a tion. Well, here is a the minority opinion a after many years becom jority opinion."

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Wheeler criticised t of bills by the Roosev tration.

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"I, too, congratulate Court on changing its have never been one u when their views hav conflict with the Sup attempt to destroy that public's confidence in i Holt Charges Patrona Senator Holt (Dem.) gins, renewed a char administration was to win support for the "For 14 months," he not even consulted abo nment of a janito stely after the Preside was submitted I was c

Continued on Page 3.

ST. LOUIS, TUESDAY, MARCH 30, 1937.

PAGES 1-12C

PART THREE

COURT DECISION STARTS STORMY SENATE DEBATE

Ashurst, Who Had Proclaimed His Inconsistency, Says Judges Must Have Heard of Remarks.

HOLT CHARGES USE OF PATRONAGE

Wheeler Declares Frazier-Lemke Act Was Redrafted in Accordance With Decision.

WASHINGTON, March 30.—A stormy debate started in the Senate yesterday when the Supreme Court handed down its decisions upholding the Frazier-Lemke farm mortgage moratorium, the Washington minimum wage law, and the railway collective bargaining act.

The Senate was calmly discussing President Roosevelt's proposal to enlarge the Supreme Court when Senator Robinson, Democratic leader, touched off the fireworks when he interrupted Senator Wheeler (Dem.), Montana, an opponent of the President's proposal, to shout that the Supreme Court had "completely reversed itself" in the minimum wage case.

Senators Wheeler, McKellar (Dem.), Tennessee, Ashurst (Dem.), Arizona, and others immediately jumped into the fray, several clamoring to be heard at the same time.

Wheeler attacked those who "seek to destroy the Supreme Court" and the public's confidence in the court.

Ashurst, who gleefully proclaimed his inconsistency to the Senate a month ago, asserted that the Supreme Court must have heard of his remarks and governed itself accordingly.

Robinson Pounds Desk. McKellar shouted that the Supreme Court by first declaring the minimum wage act unconstitutional and then declaring it constitutional, had itself amended the Constitution.

During Robinson's remarks, Wheeler interrupted: "I assume the Senator is delighted."

Founding a desk, the Democratic leader shouted: "Of course I'm delighted. I've never been able to understand the theory on which the Supreme Court held the New York or the District of Columbia minimum wage laws unconstitutional. But what happened to the women and children who, on the basis of the previous New York wage decision, had to return to the sweat shops? I am glad that now the court has completely faced about and recognized the necessity of overruling its former decision."

Talk about accepting the Supreme Court decisions in all cases blindly and as being above question. Well, here is a case where the minority opinion at last and after many years becomes the majority opinion.

Wheeler Quotes Richberg. Wheeler declared he thoroughly agreed with Robinson's remarks on the wage cases and added that he thought, in addition, the Supreme Court was "wrong" in the AAA case.

Wheeler said he wanted to emphasize that the Frazier-Lemke act had been redrafted in accordance with the Supreme Court's first decision holding it unconstitutional.

"And," he added, "Donald Richberg has been quoted as declaring that the NRA could have been redrafted so as to be within the Constitution."

Ashurst, chairman of the Judiciary Committee, interrupted to assert that credit for the new Frazier-Lemke act should go to Senator McCarran (Dem.), Nevada, for the suggestions he had written into the bill.

Wheeler criticized the framing of bills by the Roosevelt administration. "If some of the New Deal agencies," he declared, "had followed the advice of Senators Robinson, Ashurst, McCarran and others—instead of sending some inexperienced boys down here—the situation with regard to the court might now be different."

"I, too, congratulate the Supreme Court on changing its opinion. I have never been one of those who, when their views have come into conflict with the Supreme Court, attempt to destroy that court or the public's confidence in it."

Holt Charges Patronage Pressure. Senator Holt (Dem.), West Virginia, renewed a charge that the administration was using patronage to win support for the court plan. "For 14 months," he said, "I was not even consulted about the appointment of a janitor. Immediately after the President's proposal was submitted I was called on the floor."

Continued on Page 3, Column 4.

Fundamentals of New Deal Philosophy Untouched by Supreme Court Decisions

Three of Five Rulings Yesterday More Definitely Defined Taxing, Commerce and Bankruptcy Powers and Police Powers of States.

By RAYMOND F. BRANDT, A Staff Correspondent of the Post-Dispatch.

WASHINGTON, March 30.—In three of its decisions yesterday, the Supreme Court of the United States more definitely lined the borders within which the state and Federal governments can enact social legislation without violating the due process clauses of the Fifth and Fourteenth amendments. It did not, however, touch the fundamentals of the New Deal philosophy as embodied in the National Industrial Recovery Act, under which Congress attempted to regulate the relations of labor and capital in industry generally.

Of the five cases decided yesterday, three related to Federal taxing, commerce and bankruptcy powers upheld in previous decisions, and two related to the police powers of states in the field of health and general welfare. The three decisions on Federal statutes were unanimous and the two state cases were decided by divisions of 5 to 4.

The three Federal statutes involved were the National Firearms Act, the new Frazier-Lemke Farm Mortgage Moratorium Act and the 1934 Railroad Labor Act. The state cases decided related to the Washington minimum wage for women and minors, and a Virginia statute fixing prices and regulating conditions in the dairy industry.

Wage Decisions a Reversal. The most spectacular decision was the 5-to-4 division in the Washington minimum wage case, which overruled an earlier 5-to-3 decision on a District of Columbia law with almost identical provisions. The Court's action yesterday in effect also reversed the 5-to-4 decision last year on the New York minimum wage law for women, which President Roosevelt had created a "back shop" employees; that is, employees not directly engaged in interstate commerce.

Effect on Interstate Commerce. In a 6000-word opinion, Justice Stone rejected both these arguments, holding that since the company was engaged in interstate commerce, the Railroad Mediation Board could not force it to negotiate with System Federation No. 40, a member of the Federation of Labor, on wages and hours, and that the Federal Government was without power under the interstate commerce clause to regulate the labor relations of its "back shop" employees; that is, employees not directly engaged in interstate commerce.

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Chief Justice Hughes, who spoke for the majority in the New York case, spoke for the new majority in the Washington case yesterday. Justices Brandeis, Stone, Roberts and Cardozo concurred. The minority opinion was written by Justice Sutherland and had the concurrence of Justices Van Devanter, McReynolds and Butler. Justice Roberts was with the majority in the New York case and yesterday.

The Chief Justice made it clear that the minority opinion in the District of Columbia case, which was written by former Chief Justice Taft and had the concurrence of the late Justices Holmes and Sanford, should and had become the law of the land because of "the economic conditions which have supervened."

This position was bitterly attacked by Justice Sutherland and the minority, who held that the meaning of the Constitution does not change with the ebb and flow of economic events.

Sutherland Answers President. Justice Sutherland also answered some of President Roosevelt's arguments for power to appoint six new Justices to the Court. "We are frequently told in more general words," the minority opinion continued, "that the Constitution must be construed in the light of the present. If by that it is meant that the Constitution is made up of living words that apply to every new condition which they include, the statement is quite true. But to say, if that is intended, that the words of the Constitution mean today what they did not mean when written—that is, that they do not apply to a situation now to which they would have applied then—is to rob that instrument of its essential element which continues it in force as the people have made it until they, and not their official agents, have made it otherwise."

The minority declared that if the Constitution, intelligently and reasonably construed, stood in the way of desirable legislation, the only true remedy was the constitutional amendment process.

The minority also held that the Washington act unconstitutional because it discriminated against men by giving women workers preferential status. The majority answered this by quoting previous decisions of the Court.

"The argument," the majority said, "that the legislation in question constitutes an arbitrary discrimination because it does not extend to men is unavailing. This Court has frequently held that the legislative authority, acting within its proper field, is not bound to extend its regulation to all cases which it might possibly reach. The Legislature is free to recognize degrees of harm and may confine its restrictions to those classes of cases where the need is deemed to be clearest. If the law presumably hits the evil where it is most felt, it is not to be overthrown because there are other instances to which it might have been applied. There is no 'discriminatory requirement' that the legislation should be couched in all-embracing terms."

The majority opinion dwelt at length on the public powers of a state to protect the health of women, and introduced a new argument, to the effect that when women are forced to work for less than living wages they become a direct burden on the community.

"The community," the opinion observed, "is not bound to provide what is in effect a subsidy for unconscionable employers."

In the other state case, that of the Virginia dairy regulation statute, Justice Cardozo delivered the majority opinion and the minority in the Washington wage case also dissented here, in so far as the statute "attributes to the state a power to fix the minimum and maximum prices in the sale of milk." They referred to their similar dissent in the Nebbia case, which arose in New York.

In the first of the important Federal cases decided yesterday, Justice Stone, with the unanimous backing of the Court, held that a \$200 annual special excise tax for the sale of firearms was unlike the taxes sought to be imposed in the child labor cases, and the Guffey bituminous coal control law.

"The case," the opinion said, "is not one where the statute contains regulatory provisions related to a purported tax in such a way as has enabled this Court to say in other cases that the latter is a penalty resorted to as a means of enforcing its regulations."

Justice Stone also wrote the unanimous opinion on the 1934 amendment to the Federal Railway Labor Act. The Virginia Railway Co. had challenged this act on the grounds that the Railroad Mediation Board could not force it to negotiate with System Federation No. 40, a member of the Federation of Labor, on wages and hours, and that the Federal Government was without power under the interstate commerce clause to regulate the labor relations of its "back shop" employees; that is, employees not directly engaged in interstate commerce.

In a 6000-word opinion, Justice Stone rejected both these arguments, holding that since the company was engaged in interstate commerce, the Railroad Mediation Board could not force it to negotiate with System Federation No. 40, a member of the Federation of Labor, on wages and hours, and that the Federal Government was without power under the interstate commerce clause to regulate the labor relations of its "back shop" employees; that is, employees not directly engaged in interstate commerce.

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Pay Increase in Gold Mines.
By the Associated Press.
GRASS VALLEY, Cal., March 30.—Effective Thursday, workers in the gold mines here will receive a 50-cent-a-day wage increase. The proposed scale was accepted by the Mine Workers' Protective League yesterday, 955 to 145. Under the new scale, gold miners will receive \$5.74 a day and gold mine muckers \$5.26.

Improve the flavor of



Get cash for articles not in use. Sell them economically through the Post-Dispatch For Sale Column.

PUBLIC MEETINGS AND ENTERTAINMENTS

Anton Lang Jr., member of the faculty of Georgetown University and son of the man who portrayed Christ in the Oberammergau passion plays, will lecture on "Treasure Hunting in the Bavarian Alps" tomorrow evening at 8:15 o'clock before the Washington University Association at Soldan High School.

Joe Jones, young St. Louis artist, who received a Guggenheim Fellowship yesterday enabling him to devote a year to painting middle-Western subjects in accordance with his own program, will show motion pictures he took in Mexico last month at the Vanguard Gallery, 3529 Franklin avenue, tonight at 8:30 o'clock.

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Yield quicker to the Poultice-Vapor action of VICKS VapoRub
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Your Charm Is In Your Eyes
Be sure that your eyes are their lovely best, free from squints and strain-soreness! Let us fit you with attractive, corrective eyeglasses.

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NEW Telephone Directory is closing!

"I need a telephone" "List my office hours"

"I want a listing" "I'm going to move"

Your new telephone book is going to press. Do you want to make any change in your present listing? Would you like a telephone, so your name will be in the new directory? If so, please notify the Telephone Business Office now... before it's too late.

HINT TO SHOPPERS
Let your Classified Telephone Directory tell you "Where to Buy It."

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LIQUOR INTERESTS OUTSIDE STATE TRY TO SWAY STARK

Ask Him to Veto Anti-Discriminatory Law Passed Last Week at Instance of Missouri Brewers.

SEVERAL STATES HAVE SIMILAR ACTS

Treasurer of Democratic National Committee, Retained by Distillers, to Meet Governor.

By a Staff Correspondent of the Post-Dispatch.
JEFFERSON CITY, March 30.—Pressure is being exerted on Gov. Stark by distillery and brewery interests outside of Missouri in an effort to induce him to veto the anti-discriminatory liquor law passed by the Legislature last week and now before the Governor for his approval.

W. Forbes Morgan of New York, treasurer of the Democratic National Committee, who recently was retained by large whiskey producers, has an appointment with the Governor for tomorrow. Thomas O'Mara of New Orleans, active in Democratic politics in Indiana, and the representative of several brewers and distillers, saw the Governor Friday and urged a veto of the bill.

The act was passed at the instance of Missouri brewers, who found in several states, particularly Indiana and Pennsylvania, discriminatory laws and regulations which placed them at a disadvantage in competing in those states with the local brewers.

Arrangement in Indiana. It was found in Indiana that the State had been divided into 10 districts, in each of which there was one licensed importer, and no beer or whiskey could be imported into the State and sold except through them. An extra charge of approximately 10 per cent, which was not levied on products produced in the State, is said to be collected by these importers on imported liquors and beer. Four states have discriminatory laws and 15 others are considering such legislation, according to statements made to the Senate and House committees which considered the bill.

O'Mara is said to have based his argument for a veto on the plea that the Indiana law could be changed only by convening the Legislature in extra session, and that if that were done the political situation would be such that the Democrats might lose control of the Legislature, and upon the further plea that there was danger that "to stir up the liquor question in Indiana at this time might cause the State to go dry."

Provisions of Bill. Under the act before the Governor, liquors and beer manufactured in states which place more burdensome taxes and regulations on intoxicating liquor and beer manufactured in Missouri than are placed on that manufactured locally will be barred from Missouri. The Attorney-General is required to study the laws of all states and to notify the Supervisor of Liquor Control of the states which discriminate against Missouri. The supervisor will then issue his order barring the importation into and sale in Missouri of liquor products of those states.

Alabama has enacted an anti-discriminatory law similar to the Missouri act, and similar laws are pending in the Legislatures of California, Connecticut, Illinois, Nebraska, New Jersey, Ohio and Wisconsin.

The discriminations complained of are said to have been put into effect at the instance of distillers who sought to gain advantage over outside competitors, and who as a result are now in danger of losing their markets in other states.

The Governor has not indicated the action he will take on the bill.

ANTI-LYNCHING BILL PETITION
Signatures Obtained to Allow Test in House.

WASHINGTON, March 30.—House members completed a petition yesterday designed to force action on an anti-lynching bill. The petition will permit Representative Gavanagh (Dem.), New York, to call up on April 12 a resolution providing that on the day after its adoption his anti-lynching measure shall be a special order of business. The last of 218 signatures needed to call up the measure, without committee approval, was obtained just before the House adjourned. The anti-lynching bill would provide fines and imprisonment for state officers found to have been negligent in protecting a person from injury or death at the hands of a mob.

Representatives Thomas C. Hennings, St. Louis, and C. Arthur Anderson, St. Louis County, were among the signers.

Gen. Vandenberg Falls Into Bay. By the Associated Press.
MIAMI, Fla., March 30.—Cornelius Vandenberg III, New York capitalist and Reserve Brigadier-General, fell 12 feet into Biscayne Bay yesterday when a gangplank slipped as he boarded his yacht Winchester. The skipper, Capt. G. R. Bickford, jumped into the water and assisted Vandenberg in regaining the yacht.

Political Meetings Tonight

Democratic.
Mass meeting for First and Second wards at 7:30 p.m. at Imperial Hall, Goodfellow and West Florissant avenues. Speakers: Mayor Dickmann, Lawrence Boogher, nominee for Comptroller; Thomas F. Quinn, member of the Board of Education, and Dr. Julius Blesch, Chairman. City Marshal L. G. May, Twenty-seventh Ward Democratic committeeman.

Republican.
Second Ward, North St. Louis Turner Hall, Twentieth and Salisbury streets.
Twenty-third Ward, West End Hall, 3806 Finney avenue.
Twenty-eighth Ward, Hamilton Hotel, Hamilton boulevard and Maple avenue.

Mass meeting for Wards 13, 14, 15, 24, 25 and 28, at 2323 South Kingshighway. Speakers: Mayor Dickmann, Boogher and Police Judge James F. Nangle. Chairman: Lawrence McDaniels, prospective new Excise Commissioner.

Eleventh Ward, 3402 Chippewa street. Speakers: Mayor Dickmann, Boogher, Excise Commissioner Thomas L. Anderson and Secretary George B. Tracy. Chairman: Board. Meeting of Committeeman Walter A. Kelly's faction.

Eleventh Ward, 3534 Gravois avenue. Speakers, Mayor Dick-

Head COLDS
Put Mentholum in the nostrils. It quickly relieves stuffiness and restores comfort.

MENTHOLATUM
Gives COMFORT Daily

MT. AUBURN MARKET
6123 Easton Ave.—Wellston—Prices for Wednesday

STEAK	18c	BEEF	18c
CHUCK	13c	Brussel Sprouts	1 lb. 5c
VEAL	14c	Mustard Greens	2 lbs. 5c
VEAL	9c	Green Peas	1 lb. 5c
		COFFEE	17c

Prudence Pevely Pointers
MILK IN COOKING
MILK ANY WOMAN WHO HAS EVER "run short" of this household necessity, knows how dependent we are upon it to produce good meals. We know that milk as a beverage is necessary to good health, but if we were deprived of milk for cooking most of us would be tempted to put away our spoons and mixing bowls in disgust.

It is fortunate that rich, wholesome milk (Pevely Milk) is a low cost food since we need it for the health of our bodies and the pleasure of our palates.

Here are two delicious recipes featuring milk:

PERFECT POPOVERS
4 eggs
1 1/2 cups Pevely Milk
1 1/2 cups sifted flour
1/2 teaspoon salt
1/2 tablespoons melted Pevely Butter

Beat the eggs (not separated) until foamy, add milk and combine this mixture slowly with flour which has been resifted with salt. Add melted butter. Pour mixture into well-greased popover tins which have been heated for ten minutes in a 450° F. oven. Fill tins 3/4 full. Bake in a 450° F. oven for 15 minutes, then reduce heat and dry for 15 minutes in a 350° F. oven. Remove from pans and serve at once. Yield: 12 popovers.

CHOCOLATE MACAROON CREAM
2 cups Pevely Milk
3 eggs (not separated)
1 1/2 squares unsweetened chocolate
1/4 cup sugar
1 pound macaroons
1 teaspoon cornstarch

Soften cornstarch in 2 teaspoons of the milk. Beat eggs. Heat remaining milk to scalding point, add cornstarch, then pour slowly over eggs. Place mixture in a double boiler, add grated chocolate and sugar. Cook until mixture thickens (10 to 12 minutes) stirring constantly. Take from fire, cool slightly, then add the macaroons which have been finely ground. Beat and stir the mixture until smooth. Pour into a buttered, 7-inch ring mold, and chill thoroughly before serving. Unmold, and fill center with one-half pint Pevely Double Cream, whipped and sweetened with two tablespoons of sugar. Yield: 5 servings.

I HAVE PREPARED OTHER RECIPES incorporating the use of milk. Your Pevelyman will leave them with you or you may get them by just phoning ORand 4400. I shall be glad to know how you like my recipes and to help you with your cooking problems. Drop me a note. Address, Prudence Pevely, c/o Pevely Dairy Company, Grand and Chouteau.

MORE KANSAS CITY SUBPENAS
KANSAS CITY, Mo., March 30.—The Federal grand jury instructed the Court Clerk yesterday to subpoena 195 witnesses to appear before it this morning in connection with its investigation of the Nov. 3 general election here.

The investigation, started last December, has resulted in 90 indictments and 18 convictions on vote fraud conspiracy charges. Yesterday's group of subpoenas was the largest issued at one time during the 14 weeks the jury has been in session. The witnesses were called from the Sixth, Twelfth and Thirtieth Wards. The jury did not indicate when its next report would be submitted to Judge Albert L. Reeves.

What to Do About Electric Service WHEN YOU MOVE

MAIN 3222 CITY Service
REpublic 4561 COUNTY Service



Simply close the meter switch when you move in... then call Union Electric and give your new address.

ELECTRICITY IS ALREADY TURNED ON
...in homes where our meters are installed. If, by chance, the meter has not been installed, or the house has just been built, please call us a few days before you move.

UNION ELECTRIC
LIGHT AND POWER COMPANY



Free MICKEY MOUSE GLASSES
THIS WEEK—Your Choice

Again this week the popular Pevely Creamed Cottage Cheese (the smooth kind) comes to you in useful nine-ounce Mickey Mouse Saf-edge glasses for its regular price—15 cents. And this week you have your choice of the seven Walt Disney characters that appear on these free glasses—Mickey Mouse, Clarabelle Cow, Pluto, Minnie Mouse, Horace Horsecollar, Donald Duck, Funny Bunny. Complete your set. (Order early and one day in advance of delivery. Remember it is only with Pevely Creamed Cottage Cheese that you get these attractive glasses free.)

Your toast... but whose milk?

Pevely's fifty-year policy of giving this community the best possible dairy products assures you milk that is pure and wholesome—delicious and rich in food value. Pevely's system of laboratory control and rigid rules of sanitation extend to the selected farms where Pevely Milk is produced from regularly inspected herds. At Pevely's ever



new dairy plant—sunlit and air-conditioned—the last word in equipment and more than 185,000 analyses a year safeguard the quality of Pevely Milk. Order Pevely Milk today. You will quickly find out for yourself why more St. Louis women buy more milk from Pevely than from any other dairy.

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MILK • CREAM • BUTTER • BUTTERMILK • CHEESE • ICE CREAM

LEAVES TARIFF BOARD TO FIGHT FOR COURT

Raymond B. Stevens From Congress in Order 'to Take Part in Contest.

ACTION PRAISE BY PRESS

Accepting Resignation of Roosevelt Take Praise of 'High Considerations.'

By the Associated Press.
WASHINGTON, March 30.—Raymond B. Stevens of the Tariff Commission resigned today as an active part in the organization program.

In his letter of resignation, Stevens gave as another reason for the commission a desire to participate in discussion of the revising New Har law.

"Your proposal on Supreme Court is clear," Stevens told him in his letter. "It offers able hope that for some time the court will exercise self-restraint, moderation, and I desire to give the minority of the panel have shown."

"It should put an end to the construction of a nation that embody the predictions of individuals. I am confident the panel will be adopted wide public understanding, purpose, and I desire active part in its support."

Addressing Stevens, Ray, the President said the resignation was and praised the "high-minded consideration" of the commission's resignation.

"I cannot omit," he added, "to take cognizance of the high-minded consideration prompt you to relinquish your position on the commission."

"I note your desire in the discussion of national interest to you of New Hampshire."

"I believe that the members of independent bodies of the Tariff Commission their views on matter policy could not be nevertheless, your acting all doubt by relieving office involves a sacrifice serves the highest end."

"The nation, through your determination to Tariff Commission, through your decision, fellow countrymen, your wide experience judgment."

Stevens, a Democrat, served for three years as vice-chairman of the Board. His home is in N. H.

Actor's Marriage Los Angeles, Cal.—A decree annulling the marriage of Eugene Stone, actor, to Mrs. B. Stone, actress, was granted yesterday by Judge Charles Clark.

Clark said the marriage was void from the beginning because the actor had been married to another woman.

When Nature Won't

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Electric and

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TRIC
PANY

LEAVES TARIFF BOARD TO FIGHT FOR COURT PLAN

Raymond B. Stevens Resigns From Commission in Order 'to Take Active Part in Contest.'

ACTION PRAISED
BY PRESIDENT

Accepting Resignation, Roosevelt Takes Cognizance of 'High-Minded Considerations.'

By the Associated Press.
WASHINGTON, March 30.—Raymond B. Stevens of New Hampshire resigned today as a member of the Tariff Commission to "take an active part" in behalf of President Roosevelt's Supreme Court reorganization plan.

In his letter of resignation, made public by the White House, Stevens gave as another reason for quitting the commission a desire to participate in discussion of the question of revising New Hampshire tax laws.

"Your proposal concerning the Supreme Court is clearly constitutional," Stevens told the President in his letter. "It offers a reasonable hope that for some years to come the court will exercise that self-restraint, moderation and careful regard for the limits of its own power under the Constitution that the minority of the present court have shown."

Supporters Roosevelt Plan.
"It should put an end to the tortured construction of the Constitution that embody the 'economic predictions' of individual judges. I am confident that your proposal will be adopted if there is wide public understanding of its purpose, and I desire to take an active part in its support."

Stevens' resignation is effective April 1.
After asserting members of independent boards such as the Tariff Commission undoubtedly have the right to express their views on matters of public policy, he added:

"The extent to which, however, they should devote their time and energy to public questions outside the functions of the commission, which they are members is obviously limited. I am tendering my resignation in order that I may be free to devote myself to these other problems."

Addressing Stevens as "My Dear Ray," the President said he accepted the resignation with reluctance and praised the "high character" of the commissioner's services.

"I cannot omit," the President added, "to take cognizance of the high-minded considerations which prompt you to relinquish your membership on the commission at this time."

"I note your desire to participate in the discussion of public questions of national import, as well as of vital interest to your own State of New Hampshire."

"I believe that the right of members of independent boards such as the Tariff Commission to express their views on matters of public policy could not be challenged. Nevertheless, your action in removing all doubt by relinquishing your office involves a sacrifice which deserves the highest commendation."

"The nation, though the loser in your determination to leave the Tariff Commission, will benefit through your decision to give your fellow countrymen the benefit of your wide experience and mature judgment."

Stevens, a Democrat, was a member of Congress from 1913 to 1915, and for three years before 1920 was vice-chairman of the Shipping Board. His home is in Landaff, N. H.

Actor's Marriage Annulled.
LOS ANGELES, Cal., March 30.—A decree annulling her marriage to Eugene Stone, actor, was granted yesterday to Mrs. Barbara Stone, stage actress. She told Judge Thurmond Clarke she gave up her career for a home and children but that her husband told her after their marriage, "children would block my way to success."

NOVELIST-POLITICIAN



Associated Press Photo.
RAYMOND B. STEVENS, author of "The Day After Tomorrow," recently elected to the Tokyo assembly. He is a champion of women and the poor of Japan.

CHANCES DWINDLE FOR PERMANENT REGISTRATION BILL

Continued From Page One.

adding that certain provisions "look like attempts to keep people from voting."

He attacked the measure systematically, criticizing it section by section. Singled out for his particular sarcasmic comment were the provisions for a biennial general census of persons eligible to vote and the method of challenging voters at the polls and the requirement for voters' signatures for additional identification.

Democrat Would Purge Party.
Former Kansas City Democrat, another State Senator Jerome C. Joffe, asked that the bill be passed because of the political assistance it would give in "purging the party in Kansas City."

"There are some in the Democratic party who hope that its reputation for honesty in Kansas City may some day be as good as it is in any other county of the State," he said. The bill, prepared by a committee of the City Council, represents a goal toward which Kansas City has been aiming for more than eight years, Joffe said.

"The organization which comes before opposing the bill doesn't come before the committee with clean hands," he declared.

The questions committee members directed to Douglas, Joffe and several other witnesses indicated that permanent registration has no enthusiastic advocates on the committee. Representative Max Asotaky of Kansas City, accusing Joffe of making a political speech, inquired if he were still a Democrat. David A. Hess, St. Louis, asked if others present did not feel with him that the requirement that a voter sign his name for identification would be humiliating.

THIRD CLEVELAND POLICEMAN SENTENCED FOR TAKING BRIBES

Deputy Inspector Gets Two to 20 Years; Two Ex-Captains Appealing Convictions.

By the Associated Press.
CLEVELAND, O., March 30.—Deputy Police Inspector Edwin C. Buech was sentenced yesterday to two to 20 years on a charge of accepting bribes from bootleggers during prohibition. He was the third member of the police department to be sentenced.

Two former police captains, Louis J. Cadak and Michael J. Harwood, are appealing similar convictions while six other policemen await trial on bribery charges.

Indictments of these officers were the result of an investigation conducted by Safety Director Elliot Ness, former Federal Government agent, who took office with the announced intention to clean up the department.

KILLED IN FALL OFF LADDER

Frank Eisel, 59, Drops 20 Feet to Floor at Brewery.

Frank Eisel, 59 years old, was killed yesterday when he fell 20 feet from a ladder to the basement floor at the A. B. C. Brewing Corporation, 2825 South Broadway, where he was employed as a pipefitter's helper.

He had climbed to a platform for an extension cord and apparently lost his balance and fell when he reached for it. His skull and left arm were fractured. He lived at 2111 Menard street.

WOMAN, 86, DIES AFTER FALL

Injured March 1; Stood on Table to Adjust Shade.

Mrs. Pauline Thaler, 86 years old, died yesterday at Christian Hospital where she was taken March 1 after she suffered a fractured hip in a fall at her home, 4209 Gratiot street. She fell from a kitchen table on which she stood to adjust a window shade.

DR. TOWNSEND-SEEKS \$5,000,000 FOR PLAN

Asks Supporters to Lend Him Money on His Assets of \$500 and His Note.

By the Associated Press.
CHICAGO, March 30.—Dr. Francis E. Townsend asked his followers yesterday to lend him \$5,000,000 to finance a campaign to put over his pension plan.

The appeal in the Townsend National Weekly requested individual loans ranging upward from \$10, pledged use of the funds in promoting the general welfare act of 1937 in Congress and promised each lender a promissory note bearing 4 per cent interest and payable in 24 months.

The announcement set forth Dr. Townsend was "offering as collateral only his total assets of \$500 and his unsecured promissory note."

Termining it "an extraordinary proposal," his statement added: "But this is not an ordinary loan. It is not a loan to enable me to go into business for myself, nor to promote my financial welfare. It is a loan to be used, every dollar of it, to promote your welfare, your security and the welfare and security of America."

"I am going to put the Townsend plan in a constitutional way by arousing the people of America to the need of the Townsend plan; by arousing voters in every congressional district to the importance of seeing to it that their Congressmen truly represent their wishes in the national Congress."

"I am not going to stand idly by and wait for congressional action when we can bring about enactment of the general welfare act by taking advantage of the constitutional money now at our command. I propose to use the same method the President himself uses in getting action from Congress. The country needs the general welfare act, which will put the Townsend plan in operation."

His program included, the announcement said, "educational campaigns in congressional districts, mass meetings, state conventions and radio broadcasts, all to be financed at a national convention of Townsendites and their supporters in Washington, D. C."

DECLARES NOLTE SAVES \$25 A YEAR FOR EACH ST. LOUISAN

Ex-Prosecutor Rescues Cites Per Capita Cost of Government.

Here and Elsewhere.
Harry P. Rosecan, former Prosecuting Attorney, in a radio address for Comptroller Louis Nolte last night, told of hearing "a prominent Democratic city official" say: "That fellow Nolte is terrible, if you don't think so, try to get him to O. K. a bill for appropriations. Why, you'd think he was spending his own money."

This, Rosecan held, was in fact an expression of high praise. He went on to argue that, with per capita cost of government \$44 a person in St. Louis, as compared with an average of \$89 in other large cities, St. Louisans save \$25 a year each, through municipal economies to be credited largely to the Comptroller.

"To defend Mr. Nolte," Rosecan said, "is to serve warning on public officials that voters do not appreciate or want honest and efficient office holders."

NOT GUILTY PLEA BY MAN ACCUSED OF KILLING HEALER

Frank Slezak to Go to Trial April 26 on Charge of Murder of George Zellman.

Frank Slezak, packing house worker now being held at the St. Clair County Hospital at Belleville for mental examination, pleaded not guilty today when arraigned yesterday before Circuit Judge Maurice V. Joyce on an indictment charging him with the murder of George Zellman, Rosicrucian psychic healer, Feb. 5, in East St. Louis. On his statement that he had no funds, Judge Joyce appointed William Vogt of East St. Louis as his attorney. The trial was set for April 26.

Anthony Yuga of East St. Louis, 27 years old, received a one-to-10-year sentence when he pleaded guilty of operating a confidence game. He was sentenced to the Southern Illinois penitentiary at Menard for defrauding Tony Logenty of \$22, March 2.

Movie Time Table

AMBASSADOR — Katharine Hepburn and Franchot Tone in "Quality Street," at 10:30; 1:30, 4:30, 7:30 and 10:30; "Head Over Heels in Love" at 12:03, 3:03, 6:03 and 9:03.
FOX — Simone Simon and James Stewart in "Seventh Heaven" at 1:05, 4:05 and 9:45; "Girl Overboard" at 2:45, 5:45 and 8:25.
LOEW'S — Jeanette MacDonald and Nelson Eddy in "Maytime" at 9:53, 12, 2:27, 4:54, 7:21 and 9:48.
MISSOURI — Victor McLaglen, Preston Foster and Ida Lupino in "Sea Devils" at 2:40, 6:05 and 9:25; "Park Avenue Logger" at 1:15, 4:45 and 8:10; "March of Time" at 2:30, 5:50 and 9:15.
ST. LOUIS — "Love Is News" (second run) at 12:40, 3:51, 7:02 and 10:13; stage show at 2:41, 5:52 and 9:03.

CLIPPER PLANE LANDS AT AUCKLAND, N. Z.

Capt. Musick Encounters Snow at 7000 Feet on Last Leg From Pago Pago.

By the Associated Press.
AUCKLAND, N. Z., March 30 (via Pan-American Airways Radio).—The big Pan-American clipper, pioneering a commercial air route of 6830 miles between California and Australasia, landed in the harbor here today after a 1797-mile flight from Pago Pago, American Samoa.

The four-motored flying boat, which left Alameda, Cal., March 17, arrived here at 5:54 p. m. (12:24 a. m. St. Louis time).

Capt. Edwin C. Musick reported the final flight would have been considerably faster if he had not detoured several hundred miles to inspect the Kermadec Islands, and also the Tonga group. The Kermadec is about 500 miles north and east, across the international date line.

Heavy weather hampered the ship for a time shortly after the takeoff from Pago Pago.

Following a pre-determined plan, the flight commander said, he took the ship to 7000 feet altitude after leaving Samoa. There he found a "cold front," a weather condition marking a change from the clear sky and the welfare and security of America.

The ship cut through snow, rain and haze for almost an hour without finding a clearing.

MAN ARRESTED IN INDIANA, ACCUSED OF STOCK SWINDLES

Warren T. Marr, Who Wrecked Police Car, Says He Is Former Millionaire Realty Dealer.

By the Associated Press.
INDIANAPOLIS, Ind., March 30.—Warren T. Marr, 46 years old, who said he was a former millionaire real estate dealer, was placed in jail yesterday charged with obtaining more than \$80,000 through fake stock deals with Indiana residents.

The State police said Marr also was wanted by Federal authorities in California on a fake security charge and for escape from the Pasadena (Cal.) Jail last year.

Marr, according to the State police, would visit a city, have a prominent citizen introduce him to persons in the community, and then trade worthless shares for first-class utility shares or mortgages on farm property.

He was arrested at Marion, where the police reported he wrecked a police car when they attempted to stop him.

When arrested he had \$2800 in currency. Police said he was dressed expensively and carried a complete wardrobe, including riding habit and a saddle.

Mary told police he thought the officers at Marion were men attempting a holdup and that he sought to escape by ramming his automobile into the police car.

Look!

"The best screen musical yet produced!"
Herbert Markham in "The Great Gatsby" at Loew's.

JEANETTE MACDONALD NELSON EDDY in MGM's "Maytime" at Loew's.

JOHN BARRYMORE COMPLETE LATE SHOW NIGHTLY AT 7:30 P. M. at Loew's.

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BELIEVE IT OR NOT by RIPLEY Every Day in the POST-DISPATCH

DRIVERS' LICENSE BILL MEETS FURTHER DELAY

Senate Committee Takes It Under Consideration After Hearing.

By a Staff Correspondent of the Post-Dispatch.
JEFFERSON CITY, March 30.—The State-wide drivers' license bill met with further delay in the Senate Committee on Roads and Highways last night, notwithstanding Gov. Stark's efforts to bring about a compromise of divergent views and his expectation that objections had been overcome.

Stark told newspaper men today that the bill would be "taken a heavy load on their shoulders," and would be "indirectly responsible for murder on Missouri highways in the next two years" if they should persist in blocking action.

"Everybody must give and take a little in this matter. Missouri must have a drivers' license law, and the people of the State aren't going to be satisfied until one is enacted."

The committee received from a special conference committee called by the Governor the amendments proposed to the act, and then took it under consideration. The committee will not meet again until next Monday.

The amendments provide for a law under which State licenses to drivers of automobiles would be issued throughout the State, except in St. Louis and Kansas City, which would be permitted to retain their present drivers' license ordinances.

The city licenses would be recognized throughout the State and the State licenses would be recognized in the cities.

Edward C. Crow, a Special Assistant Attorney-General and legal adviser to the Governor, who drew the amendments, explained them to the committee and, as the representative of the Governor, strongly urged on the committee the favorable report on the bill.

Other arguments were made by Albert Bond Lambert, member of the St. Louis Board of Police Commissioners, and Assistant City Counselor Otto B. Higgins, Director of Police in Kansas City.

Objections were presented by George Spencer, City Attorney of Columbia, and secretary of the League of Missouri Municipalities, who insisted the smaller cities of the State were as much interested in the revenue from drivers' licenses as were St. Louis and Kansas City. He said that the enforcement of the law in these smaller cities would be a duty of the police of those cities, and that there should be revenue available to the cities to meet the cost of enforcement.

Because of a late session of the Senate, the committee meeting did not begin until after 5 o'clock and it was 7 o'clock before the arguments were completed. An adjournment was then taken immediately without action on the bill.

Man Killed in Rebuttal Plane.

INDIANAPOLIS, Ind., March 30.—Henry Owens, 28 years old, of Indianapolis, was killed yesterday when his airplane fell shortly after taking off from an airport. Witnesses said the plane fell from about 50 feet. Owens had recently rebuilt the plane and had taken some lessons in flying.

The Green Camel

Is the WEST-END BUILDING REPUTATION ENJOYABLE TO EAT DINNER 65c

Hotel ROOSEVELT DELMAR

AMUSEMENTS

Reading Theatre of St. Louis Market of Seventies

ONLY MAXIMUM RATE AT 2:15 Good Seats Available—All Prices \$1.15

ZIEGFELD FOLLIES

FAIRIE BRICE • BOBBY CLARK

WEEK END MONDAY NIGHT—SEATS THURS. MAIL ORDERS ACCEPTED NOW

The Theatre Guild presents The Pulitzer Prize Play

IDIOT'S DELIGHT by Robert E. Sherwood with ALFRED LUNT LYNN FONTANNE

and a brilliant Theatre Guild cast

MAN HURT BY ELEVATOR DIES

James C. Sharts, 37, Crushed in Shaft March 18.

James C. Sharts, 37 years old, died yesterday at Missouri Baptist Hospital from internal and other injuries suffered March 18 when crushed in an elevator shaft at the Auto Parts Co., 2201 Locust street, where he was employed as a clerk. He was entering the elevator in the basement of the company when it started and he was caught between the elevator and the wall. He lived at 1808 Elliot avenue.

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and a brilliant Theatre Guild cast

ROLLER DERBY

(Reg. U. S. Patent Office) Jefferson & Washington

THIS COUPON WILL admit your entire party, at 25c per person. Void After April 1 (S. F.)

GARRICK

TRAVELING REPERTORY AND VOODOO

HURRY! HURRY! LAST SHOW OF SEASON

TEMPERS! 8:15 4-5 TEMPTING GIGS 4-5 NOW MARTIN MARIETTE FURBY

500

FOR BETTER SHOWS IN YOUR NEIGHBORHOOD

THE NEW WORLD ST. LOUIS AMUSEMENT CO.

GARY COOPER • JEAN ARTHUR

'THE PLAINSMAN' and 'THE HOLY TERROR'

EL DRENDEL-ANTHONY MARTIN-LEAH RAY

SONJA HENIE in "ONE IN A MILLION"

Pres. Foster-Lan Duvak in "We Who Are About to Die"

Jane Darwell in "LAUGHING AT TROUBLE"

PHOTOPLAY THEATRES

AT BOTH THEATRES

EMPEROR

OLIVE AT GRAND

VARSITY

6910 DELMAR

IF YOU ENJOY "Theodore" GO TO "WILD" BY ALL MEANS SEE THIS ONE!

JEAN ARTHUR "More Than a Secretary"

PLUS 2nd HIT

WOMEN OF GLAMOUR

IT'S GAY! IT'S DARING! IT'S NEW! PLUS 2nd HIT

WOMEN OF GLAMOUR

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WOMEN

... and now who
Opportunities are
Found in today's
Ada?

MAN 75 DIES ST

BY AUTO LAST NO

John E. Allen Was
Down by Backing
Driven by Woma

John E. Allen, 75 years
suffered a fractured
struck by an automobile

Allen was knocked
Fourth and Olive streets
ing automobile operated
killed Cuddy, 4800 Gree
He went to the Melbour
where he lived, and lat
day was taken to City
He was admitted to Cer
pital last Wednesday. A
will be held.

Chautfeur Killed; Auto T
Laurie, 11-13

Robert Tremaine, chauffeur, 5014 Cates avenue, died Sunday when his car turned over in a ditch between Highway 40, near Kingdom, and Highway 41, after he had swerved to avoid a collision with a head-on collision. Mrs. Tremaine, who lives at 4140, was also injured. She was taken to the hospital in a serious condition in a private ambulance. (Mo.) hospital.

Two other passengers on the bus were Mrs. Dorsey V. Westminister place, 4307 Westminister place, slightly hurt. The four

to visit Tremain's mother near Jefferson City. Je-
hospitals attendants an-
swung out in front of the
another car and Tremain
off the road to avoid a
His automobile then
across the highway and
ditch, turning over sev-
All four passengers were
apt. Tremain suffered a
the skull, shoulder and
died soon after entering
hospital. Jordan was h
The driver of the other

**Negro Woman Hit by
Car Traced, Driver
Mrs. Ludie Edwards,
Negro, died at City Hos-
pital last night of injuries sus-
tained last night when struck
by an automobile, the driver of which
was shot.**

She was hit after alighting
from a street car at Franklin
and Division avenues. Police
found an automobile with
damaged and headlight, about

license number. The owner had lent the machine to Routt, a Negro, 1109 Norton avenue, who was arrested yesterday and admitted, according to police, that he had struck and heard a screaming woman at Franklin and Canines Sunday night. He continued on through frigid records show that Routt had five workhouse terms as a vagrant.

Mrs. Edwards, a widow at 4126A West Belle

**MUENCHES AND JONES
IN JAIL PENDING**

**They Decide Definitely
to Prison Before Deal
on Pleas.**

Three convicted part
the Muench baby hoax
nately elected to stay in
to await the outcome
from prison sentences re
using the mails to defra
Although their jail t
deductible from the sen
must serve if the appe

nied, Nellie Tipton Muench husband, Dr. Ludwig C. are attempting to sell five other possessions to finance the appeal. Wilfred Jones, former baby broker in New York, will assist in writing the appeal according to Verna R. C. lawyer.

Jones and Mrs. Muench were sentenced in Federal Court to five years in prison; Muench's license to practice medicine was revoked, was sentenced to eight years.

Mrs. Helen Berrover

defendant, began serving a year sentence at the workhouse at Alderson, W. Va., weeks ago.

ITALIAN CABINET TO AUGUSTAN ALTAR

Excavation Started to Unearth Parts of Monument to Napoleon by Barbarians

By the Associated Press.

ROME, March 30.—Excavations to unearth the Augustus' altar of peace.

constructed as a symbol regained glory, Premier's Cabinet decided to. Excavations have been set beneath the Flaminio to recover parts of the monument demolished when it overran Rome. Negotiations are started soon with France and Vatican City for parts of the altar. Now have in museums of the buried portions of monument is a delicate task. Foundations of Flaminio must not be disturbed.

Brig.-Gen. Henry A. Ingalls, who received citizenship for his services in the Spanish-American war and including the Distinguished Service Cross, died here yesterday of a paralytic stroke. He was 65 years old. He was a member of the American College of Surgeons. Dr. Ingalls was promoted to the rank of Brigadier-General in 1926.

STEELS AND RAILS LEAD QUIET RALLY IN MARKET

COMMODITY INDEX AVERAGES

Other statistics data showing economic trend.

TREND OF STAPLE PRICES.

NEW YORK, March 30.—The Associated Press daily wholesale price index of 35 basic commodities:

Tuesday 97.12
Monday 97.12
Week ago 97.12
Month ago 97.12
Year ago 97.12

RANGE OF RECENT YEARS.

High 1937 1936 1935 1934 1933 1932 1931 1930 1929 1928 1927 1926 1925 1924 1923 1922 1921 1920 1919 1918 1917 1916 1915 1914 1913 1912 1911 1910 1909 1908 1907 1906 1905 1904 1903 1902 1901 1900 1899 1898 1897 1896 1895 1894 1893 1892 1891 1890 1889 1888 1887 1886 1885 1884 1883 1882 1881 1880 1879 1878 1877 1876 1875 1874 1873 1872 1871 1870 1869 1868 1867 1866 1865 1864 1863 1862 1861 1860 1859 1858 1857 1856 1855 1854 1853 1852 1851 1850 1849 1848 1847 1846 1845 1844 1843 1842 1841 1840 1839 1838 1837 1836 1835 1834 1833 1832 1831 1830 1829 1828 1827 1826 1825 1824 1823 1822 1821 1820 1819 1818 1817 1816 1815 1814 1813 1812 1811 1810 1809 1808 1807 1806 1805 1804 1803 1802 1801 1800 1799 1798 1797 1796 1795 1794 1793 1792 1791 1790 1789 1788 1787 1786 1785 1784 1783 1782 1781 1780 1779 1778 1777 1776 1775 1774 1773 1772 1771 1770 1769 1768 1767 1766 1765 1764 1763 1762 1761 1760 1759 1758 1757 1756 1755 1754 1753 1752 1751 1750 1749 1748 1747 1746 1745 1744 1743 1742 1741 1740 1739 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STOCK PRICE AVERAGES.

(Compiled by Dow-Jones)

Stocks 186.93 183.64 186.77 188.28
Bonds 92.33 92.80 92.30 92.36
20 Yr. 92.33 92.80 92.30 92.36
10 Yr. 92.33 92.80 92.30 92.36

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E OF \$2.50

BALE IN COTTON

NEW YORK, March 30.—Cotton futures advanced 1/4¢ to 14.14 1/2¢ today, after a speculative interest turned away from the market with the reopening of the long Easter holiday, but buying developed in mid-afternoon, and the market closed at a new high of 14.14 1/2¢. The price of cotton futures advanced 1/4¢ to 14.14 1/2¢ today, after a speculative interest turned away from the market with the reopening of the long Easter holiday, but buying developed in mid-afternoon, and the market closed at a new high of 14.14 1/2¢. The price of cotton futures advanced 1/4¢ to 14.14 1/2¢ today, after a speculative interest turned away from the market with the reopening of the long Easter holiday, but buying developed in mid-afternoon, and the market closed at a new high of 14.14 1/2¢.

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ST. LOUIS STOCKS

ST. LOUIS STOCK EXCHANGE.—Prices were mixed on the local market. Electric was lower and Portland was unchanged. Afternoon session Dr. Peck & Walker, Burkhardt and Steel were among higher. Sterling Aluminum in first place listing changed hands.

Stock	High	Low	Close	Prev.
Aluminum	14.14	14.14	14.14	14.14
Steel	13.30	13.30	13.30	13.30
Electric	12.50	12.50	12.50	12.50
Portland	11.00	11.00	11.00	11.00
Dr. Peck & Walker	10.00	10.00	10.00	10.00
Burkhardt	9.00	9.00	9.00	9.00
Steel	8.00	8.00	8.00	8.00
Sterling Aluminum	7.00	7.00	7.00	7.00

Stock	High	Low	Close	Prev.
Aluminum	14.14	14.14	14.14	14.14
Steel	13.30	13.30	13.30	13.30
Electric	12.50	12.50	12.50	12.50
Portland	11.00	11.00	11.00	11.00
Dr. Peck & Walker	10.00	10.00	10.00	10.00
Burkhardt	9.00	9.00	9.00	9.00
Steel	8.00	8.00	8.00	8.00
Sterling Aluminum	7.00	7.00	7.00	7.00

Stock	High	Low	Close	Prev.
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Electric	12.50	12.50	12.50	12.50
Portland	11.00	11.00	11.00	11.00
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Steel	8.00	8.00	8.00	8.00
Sterling Aluminum	7.00	7.00	7.00	7.00

S. OF INDIANA MADE

\$3.98 A SHARE IN 1936

NEW YORK, March 30.—Total bond sales today on the New York Stock Exchange amounted to \$11,830,000, compared with \$8,880,000 yesterday; \$20,077,000 a week ago and \$8,874,000 a year ago. Total sales from Jan. 1 to date were \$1,058,708,000; compared with \$1,185,800,000 a year ago and \$884,000,000 two years ago.

Following is a complete list of transactions giving sales, high, low and closing prices.

UNITED STATES GOVERNMENT BONDS.

Term	High	Low	Security	High	Low	Close	Net	Chg.
1-10-42	104 1/2	104 1/4	104 1/2	104 1/2	104 1/4	104 1/2	104 1/2	104 1/2
1-10-44	104 1/2	104 1/4	104 1/2	104 1/2	104 1/4	104 1/2	104 1/2	104 1/2
1-10-46	104 1/2	104 1/4	104 1/2	104 1/2	104 1/4	104 1/2	104 1/2	104 1/2
1-10-48	104 1/2	104 1/4	104 1/2	104 1/2	104 1/4	104 1/2	104 1/2	104 1/2
1-10-50	104 1/2	104 1/4	104 1/2	104 1/2	104 1/4	104 1/2	104 1/2	104 1/2

NEW YORK, March 30.—American & Foreign Power, Inc., a pamphlet report, including subsidiaries and oil of Indiana in a preliminary report, including subsidiaries and associated companies, showed 1936 net income of \$46,880,000, or \$3.06 a share, best since 1930.

This compared with 1935 net income of \$30,170,800, or \$1.98 a share. Preliminary figures are after depreciation, depletion, amortization, minority interest, state and Federal income and undistributed profits taxes.

The company, one of the largest crude oil refiners in the world, has plants which operate in nearly all states except those on the Pacific Coast.

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NEW YORK BOND MARKET

By the Associated Press.

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1-10-44	104 1/2	104 1/4	104 1/2	104 1/2	104 1/4	104 1/2	104 1/2	104 1/2
1-10-46	104 1/2	104 1/4	104 1/2	104 1/2	104 1/4	104 1/2	104 1/2	104 1/2
1-10-48	104 1/2	104 1/4	104 1/2	104 1/2	104 1/4	104 1/2	104 1/2	104 1/2
1-10-50	104 1/2	104 1/4	104 1/2	104 1/2	104 1/4	104 1/2	104 1/2	104 1/2

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GOVERNMENT BONDS

TURN LOWER LATE

Losses for Day Range to as Much as 17-32 of a Point—Corporate List Mixed.

By the Associated Press.

NEW YORK, March 30.—United States Government loan issues of 1937, with losses ranging to as much as 17-32 of a point.

Among the corporates the trend was mixed and narrow with gains and losses about evenly divided. Lower grade carrier loans were inclined to the downside.

In the Federal list the 3 1/2% of 1961-54 suffered the most in the early trading, closing down 17-32 at 99-27 1/2. Others off from 9-32 to 10-15-32 were the 3 1/2% of 1948-51 at 100-14 1/2 and the 3 1/2% of 1960-60 at 100-29 1/2.

Corporate scoring gains included American Telephone 3 1/2%, 95 1/2; Bethlehem Steel 3 1/2%, 95 1/2; Great Northern 4 1/2%, 95 1/2; and International Paper 5 1/2%, 101.

Attention of the investment community was attracted to the sale of \$100,000,000 of U. S. Government bonds by reporting banks in 100 cities in the week ended March 29. In the past two weeks the decline in holdings of Government obligations by all reporting banks amounted to \$258,000,000.

Bond Offerings.

NEW YORK, March 30.—A new issue of \$24,000,000 of National Eastern Pipe Line Co. first mortgage 4 1/2% per cent bonds was offered at 97 1/2 by syndicate headed by Kidder, Peabody & Co. Proceeds will be used for general purposes.

WASHINGTON, March 30.—The Federal Reserve Bank of New York, in the pending proceedings under Section 77E of the Bankruptcy Act, has asked the Federal Reserve Bank of New York to issue \$1,000,000 of 3 1/2% per cent bonds to be used for general purposes.

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EARNINGS AND DIVIDENDS

Orders, factory productions and other business items.

By Standard Statistics Co. Inc.

NEW YORK, March 30.—Competition in earnings with corresponding period previous year. In sales and profits, see detailed report for changes in number of stores, if any, on comparative data.

AIRCRAFT.

EX-CELL-O AIRCRAFT & TOOL CO.—1936 common share earnings before taxes were \$1.08 against \$1.00 in 1935. Western Air Express Corp.—1936 net income was \$20,697, equal to 23 cents a common share against deficit of \$1.88.

AUTOMOBILE PARTS AND TIRES.

CITIZEN AUTO STAMPING CO.—1936 common share earnings before taxes were \$1.67 against \$1.27 in 1935. Western Air Express Corp.—1936 net income was \$20,697, equal to 23 cents a common share against deficit of \$1.88.

MEAT AND FISH.

AMERICAN MEAT & FISH CO.—1936 common share earnings before taxes were \$1.67 against \$1.27 in 1935. Western Air Express Corp.—1936 net income was \$20,697, equal to 23 cents a common share against deficit of \$1.88.

NEW YORK, March 30.—Crude rubber futures opened steady, 53 to 55 points higher. May, 27.20 to 27.21; July, 27.40 to 27.41; September, 27.60 to 27.61; December, 27.80 to 27.81; March, 28.00 to 28.01; May, 28.20 to 28.21; July, 28.40 to 28.41; September, 28.60 to 28.61; December, 28.80 to 28.81; March, 29.00 to 29.01; May, 29.20 to 29.21; July, 29.40 to 29.41; September, 29.60 to 29.61; December, 29.80 to 29.81; March, 30.00 to 30.01; May, 30.20 to 30.21; July, 30.40 to 30.41; September, 30.60 to 30.61; December, 30.80 to 30.81; March, 31.00 to 31.01; May, 31.20 to 31.21; July, 31.40 to 31.41; September, 31.60 to 31.61; December, 31.80 to 31.81; March, 32.00 to 32.01; May, 32.20 to 32.21; July, 32.40 to 32.41; September, 32.60 to 32.61; December, 32.80 to 32.81; March, 33.00 to 33.01; May, 33.20 to 33.21; July, 33.40 to 33.41; September, 33.60 to 33.61; December, 33.80 to 33.81; March, 34.00 to 34.01; May, 34.20 to 34.21; July, 34.40 to 34.41; September, 34.60 to 34.61; December, 34.80 to 34.81; March, 35.00 to 35.01; May, 35.20 to 35.21; July, 35.40 to 35.41; September, 35.60 to 35.61; December, 35.80 to 35.81; March, 36.00 to 36.01; May, 36.20 to 36.21; July, 36.40 to 36.41; September, 36.60 to 36.61; December, 36.80 to 36.81; March, 37.00 to 37.01; May, 37.20 to 37.21; July, 37.40 to 37.41; September, 37.60 to 37.61; December, 37.80 to 37.81; March, 38.00 to 38.01; May, 38.20 to 38.21; July, 38.40 to 38.41; September, 38.60 to 38.61; December, 38.80 to 38.81; March, 39.00 to 39.01; May, 39.20 to 39.21; July, 39.40 to 39.41; September, 39.60 to 39.61; December, 39.80 to 39.81; March, 40.00 to 40.01; May, 40.20 to 40.21; July, 40.40 to 40.41; September, 40.60 to 40.61; December, 40.80 to 40.81; March, 41.00 to 41.01; May, 41.20 to 41.21; July, 41.40 to 41.41; September, 41.60 to 41.61; December, 41.80 to 41.81; March, 42.00 to 42.01; May, 42.20 to 42.21; July, 42.40 to 42.41; September, 42.60 to 42.61; December, 42.80 to 42.81; March, 43.00 to 43.01; May, 43.20 to 43.21; July, 43.40 to 43.41; September, 43.60 to 43.61; December, 43.80 to 43.81; March, 44.00 to 44.01; May, 44.20 to 44.21; July, 44.40 to 44.41; September, 44.60 to 44.61; December, 44.80 to 44.81; March, 45.00 to 45.01; May, 45.20 to 45.21; July, 45.40 to 45.41; September, 45.60 to 45.61; December, 45.80 to 45.81; March, 46.00 to 46.01; May, 46.20 to 46.21; July, 46.40 to 46.41; September, 46.60 to 46.61; December, 46.80 to 46.81; March, 47.00 to 47.01; May, 47.20 to 47.21; July, 47.40 to 47.41; September, 47.60 to 47.61; December, 47.80 to 47.81; March, 48.00 to 48.01; May, 48.20 to 48.21; July, 48.40 to 48.41; September, 48.60 to 48.61; December, 48.80 to 48.81; March, 49.00 to 49.01; May, 49.20 to 49.21; July, 49.40 to 49.41; September, 4

Boyd's Subway Month-End Sale!

TODAY AND WEDNESDAY

Extra savings! Extra values! Special bargains on men's wear for everybody. The selections are broken so be here bright and early to get your share!



\$1.95, \$2.50 Collar-Attached

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Large Sizes Only

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Sizes 16, 16½, 17, 17½ and 18

No-wilt collared shirts in whites and patterns in big sizes at big savings. Every shirt is well made by good makers. Every shirt is such a bargain you'd better save yourself the trouble of hunting around for your size and get a good supply in this special sale. Slight seconds.

\$1.35, \$1.65, \$1.95 SHIRTS Good shirts in a broken selection of patterns and colors for clearance at a very low price. Slight seconds. **79c**

65c, \$1, \$1.50 TIES Silks, rayons and mixtures in a broken selection of Spring colors and patterns. Most of them are handmade. Great buys. **29c**

39c, 50c, 65c AND SHIRTS Broadcloth shorts and knit athletic shirts. Some are seconds. Real values. EACH **27c**

50c, 65c, \$1 SOX Need socks? These are bargains! Broken selection of colors and patterns. Slight irregulars. **23c**

\$1.95, \$2.50 SWEATERS Extreme values in sweaters you'll need this Spring. Broken selection of popular models and colors. **\$1.29**

Boyd's

BOYD-RICHARDSON—OLIVE AT SIXTH

You will thank me for this tip 10 years from now



When you buy your next refrigerator, you will, of course, look for beauty, for roominess, for silent operation, for economy, for all of those modern features of design which make any good electric refrigerator such a joy to own.

Satisfy yourself on these important points, by all means.

Then, after you have done this, check up the most important point of all—the name plate on the refrigerating mechanism.

If it is Copeland, you can be sure that you are buying literally the world's finest, for Copeland is a pioneer whose worldwide experience covers not only household refrigeration but the far more exacting requirements of heavy-duty commercial refrigeration as well.

Among the 1937 Copelands now on display, you will find a model which ideally fits your requirements, and—best of all—your purse.

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AMERICA'S MOST EFFICIENT ELECTRIC REFRIGERATOR See the Copeland at the Following Dealers:

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CENTRAL TIRE CO.
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STAR FURNITURE HOUSE
1540 S. Broadway
3172 S. Grand
N. STERN FURN. CO.
1301 Franklin

St. Louis, Ill.
SLACK FURN. CO.

Quincy, Ill.
GUTHRIE HOWE CO.
501 Hampshire

Suggest to your agent that he keep your vacant property advertised in the Post-Dispatch, where tenants are secured quickly and economically.

NEAF AT HEARING DEFENDS DOUBLING COUNTY GAS LEVY

Assessor Produces Witnesses and Exhibits to Support \$2,583,410 Valuation of Company.

WOULD ASSESS MAINS AS REALTY

Official Denies 'Prejudice'—Board of Equalization Takes Appeal Under Adversity.

The St. Louis County Board of Equalization yesterday took under advisement the appeal of the St. Louis County Gas Co., from the \$2,583,410 valuation placed on its property by Assessor Martin L. Neaf for 1937 tax purposes.

This action followed a lengthy hearing during which Neaf produced a group of witnesses and a sheaf of exhibits in support of his assessment. The gas company, represented by Albert C. Laun, a vice-president, presented no witnesses, contenting itself with a statement that no additional equipment had been installed to increase the company's valuation since last year and with a request that the board value its property the same as for last year, when it cut Neaf's \$2,274,080 assessment to \$1,127,710.

The board also took under advisement a request by Neaf that the mains of the company be assessed as real estate, as appurtenances to the company's plant in Shrewsbury. The mains are now assessed as personal property, and the valuation is distributed among the school districts in which the mains are located. Neaf cited Supreme Court decisions in support of his request. Mains of water companies are held by these decisions to be real estate and appurtenances to the plants and thus are to be assessed in the district in which located. Neaf contended that gas mains were in the same category.

Neaf, as he did last year, opened his case by requesting the board to issue subpoenas requiring the gas company to bring in its records showing the miles of mains and their locations, the amount of cash on hand and accounts receivable as of last June 1, the date of the assessment. This information was refused him by the company, he said. There was no second to Neaf's motion that these subpoenas be issued.

Richard Hoehne, an engineer employed in Neaf's office, testified as to the cost of reproducing the company's plant and gas holders. He said it would cost \$1,055,000 to reproduce the Shrewsbury plant, which Neaf has assessed at \$370,720. Laun contended the valuation should be \$24,720. The spherical steel holder in Normandy, with a capacity of 55,000 cubic feet, could not be reproduced for less than \$19,700, Hoehne said, and similar holders in Ferguson and West Walnut Manor would cost \$19,800 and \$17,000 to build. They are assessed at \$8700, \$8760 and \$7480, respectively. Laun contended the values of the holders for tax purposes should be \$3900, \$3850 and \$1870. Hoehne answered that riveting of the holders would cost in excess of those values.

No appeal was filed by the company from the \$54,850 assessment on its Webster Groves office building. Its total real estate is assessed at \$490,510, which it seeks to have cut to \$388,840.

Personal Property Disputed. Personal property of the company, including its mains, meters, service sets, automobiles and machinery, is assessed at \$2,133,900. Laun asked this be cut to \$738,890, the figure set by the board last year.

Laun said the company had added \$266,157 personal property during the last year, but contended that depreciation on the older equipment offset this.

Neaf introduced the testimony of a deputy assessor of St. Louis, Charles F. Ernst, who said the mains of Laclede Gas Co. were assessed at \$15,728,000. There are 1153 miles of mains. Robert O'Gorman, deputy in Neaf's office, testified the 684 miles of mains of the St. Louis County Water Co. were assessed at \$2,697,830. Neaf introduced as an exhibit the schedule of the gas company filed with the Public Service Commission, in which officers of the company swore the depreciated value of the mains was \$2,513,700, of service sets, \$686,200, and of meters, \$1,220,700.

He introduced other schedules showing the rate-making valuation of the company with \$76,000 cash on hand and \$268,000 in accounts receivable were filed by Neaf.

Additional schedules, showing the company with \$76,000 cash on hand and \$268,000 in accounts receivable were filed by Neaf.

He Denies Prejudice. At the close of the hearing, County Judge William E. Laun asked Neaf if he were prejudiced against the company. Neaf said, "No."

"Last summer, when you were campaigning, didn't I hear you say in a speech to voters that if any utility offered them money to vote against you, for them to accept it."

Did you have this company in mind?" Laun asked.

"Yes; I told the voters if they were offered money to vote against me to accept it as this company was not paying enough taxes and it may as well spend its money that way. I had this company in mind. If I remember correctly, you said on the same platform that same night that you could see no reason for letting a utility get by with one valuation for rate-making purposes and another for tax purposes. Isn't that right?" Neaf countered.

"That's right," Laun said. Other members of the board are County Judges Eugene G. Tighe and Thomas Thatcher and County Surveyor John M. Crutinger.

MORE AUTO DEATHS IN FIRST TWO MONTHS THAN IN 1936

Increase Attributed to Heavier Traffic Due to Unusually Mild Weather.

By the Associated Press. CHICAGO, March 30.—The National Safety Council reported yesterday that 5500 persons were killed in automobile accidents in January and February, or 1050 more than in the same 1936 period. The increase was attributed to heavier traffic due to mild winter weather during the two months.

February fatalities numbered 2850, against 2150 in January. This was

called as "the usual seasonal slump" but 24 per cent higher than the total for February last year.

The urban upturn was most pronounced, increasing 33 per cent. Only 19 of 81 cities of more than 100,000 population had fewer deaths in the two months than in the same months last year. Fall River and Lynn, Mass., had no deaths. Milwaukee and Seattle totals were the same in both years. Chicago had 11 fewer traffic deaths, St. Louis 9; Fort Worth, Tex., 6; Atlanta, 5; Oakland, Cal., Akron, O., Cambridge, Mass., and Tampa, Fla., each 4; Memphis, 3; Boston, 2; Omaha City and Bridgeport, Conn., each 2. New York City had 12 deaths compared to 78 in the two 1936 months.

each 4; Memphis, 3; Boston, 2; Omaha City and Bridgeport, Conn., each 2. New York City had 12 deaths compared to 78 in the two 1936 months.

666 COLD AND FEVER LIQUID, TABLETS, SALVE, NOSE DROPS, 30 minutes first day. "Rub-My-Throat" World's Best Linctus.

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Remember the rewards that were offered not so very long ago by people who were looking for a house or flat? It can happen again! Buy now and beat it, and let our Government supervised

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LOOK what we're doing with hundreds of ROOM LOTS They're priced to SELL, RIGHT NOW!

12 Wall—20 Yds. Border—Was \$1.50—Sale Price, \$.72
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12 Wall—20 Yds. Border—Was \$2.50—Sale Price, \$1.07
12 Wall—20 Yds. Border—Was \$3.00—Sale Price, \$1.40
12 Wall—20 Yds. Border—Was \$3.50—Sale Price, \$1.45
12 Wall—20 Yds. Border—Was \$4.00—Sale Price, \$1.78
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12 Wall—20 Yds. Border—Was \$5.00—Sale Price, \$2.16

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★ Today is Post Day ★

HOW TO WATCH A PRIZE FIGHT



If you like to yell advice at fights, if you crab at referees' decisions, Paul Gallico deals you out some inside tips this week on what to watch before you start to howl. How to tell the punch that hurts, the knockdown that's harmless, what fighters' legs reveal, and what you can learn by watching the corners between rounds, and why the winning man doesn't always win. Turn to page 10 in your Post and read

"YOU'RE A FIGHT EXPERT"

by Paul Gallico

14 OTHER FEATURES IN THE SAME ISSUE

SHORT STORIES. A yarn of the Grand Banks fishermen... A drama of newspaper men in censored Germany... Love and comedy in stories by T. S. Stribling and D. D. Beauchamp... An unusual story of the song-writing business. And the author of "Drums along the Mohawk" gives you a new Indian tale.

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THE SATURDAY EVENING POST

PART FOUR

Women in London.

At fund

81

The destroyers near Hayle, Cornwall, tide

DAILY
MAGAZINE

PART FOUR

ST. LOUIS, TUESDAY, MARCH 30, 1937.

PAGES 1-6D

WELL, I'LL TELL YOU—By BOB BURNS

ONLY sympathetic people should be given positions of authority. That's the reason you usually get a "square" deal from officials who have worked themselves up from the ranks. They realize what the people under 'em have to put up with. There ain't nothin' more comfortin' than a word of kindness at the right time. I had a sympathetic uncle down home who was a judge. One time his

duty compelled him to sentence a man to 99 years in the State Penitentiary. The man looked up at my uncle and with a quiver in his voice said, "I'll never live long enough to do it." My uncle brushed back a tear from his eye and looked at the man and says, "Well, don't let that worry you, Brother, you jest do as much as you can." (Copyright, 1937.)

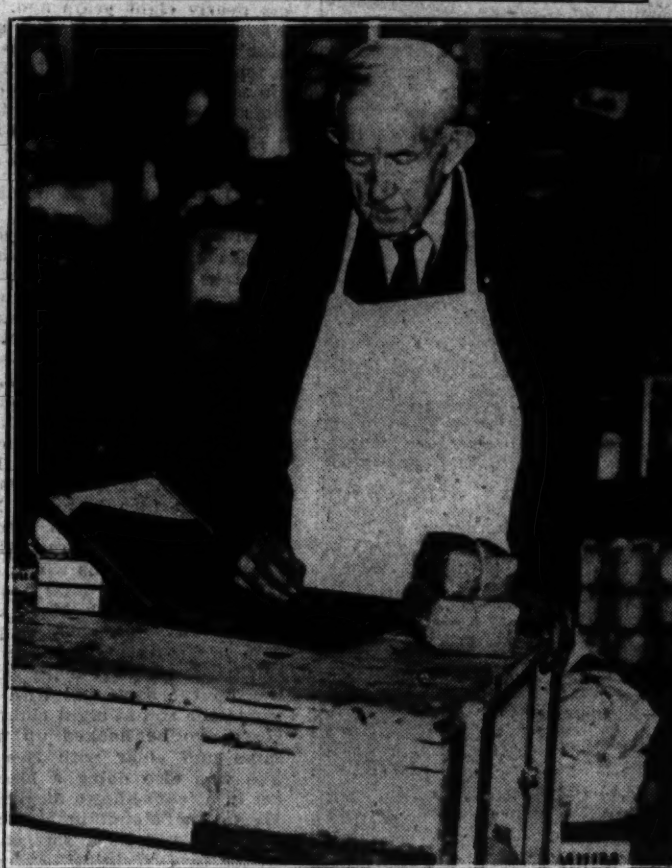


REHEARSING FOR CORONATION BALL



Women in medieval costumes preparing for festivities to be held in Royal Albert Hall, London.

"AMERICA'S OLDEST GROCER"



Albert A. Cole of South Portland, Me., who has been so designated by the National Association of Retail Grocers, having served continuously 73 years and eight months. He is shown writing on the slate his father started in business with in 1853, when "put it on the slate" was a literal request.

NEW YORK MAYOR AND HIS SON AT CIRCUS



Fiorello LaGuardia and his son, Eric, attending a circus performance at the New York Hippodrome.

ENDING 56 YEARS OF BONE-DRY PROHIBITION IN KANSAS



Gov. Walter A. Huxman signing the legislative bill permitting the legal and regulated sale of 3.2 beer, thereby completing the legal process by which the State ended its 56 years of bone-dry prohibition. Watching the signing, which took place at Topeka, are the Governor's secretaries.

PROTECTION FROM MOSQUITOES

GETS WATER FROM NEIGHBORS



The protectors are being displayed by a model at the National Inventors' Congress in Chicago.



His water cut off because he refused to pay the sewerage tax at Mobile, Ala., Capt. A. J. Tellier, Belgian consul, is kept supplied by neighbors who leave jugs on the lawn of his home. He is scheduled to take his legal battle to the Alabama Supreme Court Thursday.

TEXAS COLLEGE BOYS DO OWN LAUNDRY



At Texas A. and M. College, where a mass "live-at-home co-operative" is functioning.

OLD DESTROYER GOES ASHORE



The destroyer "Torrid" pictured after she dragged her anchor during a gale and went ashore near Trefusis Point, England. The ship was on her way from Sheerness, Kent, to Hayle, Cornwall, to be broken up, and was lying in Falmouth Carrick Roads awaiting a favorable tide when beached by the high wind.

FORMER ACTRESS LEAVING JAIL



Alice Lake, who once earned \$2000 a week in the silent screen days, shown as she was being released from jail in Los Angeles after serving a 20-day sentence for intoxication. She had no money to pay a \$100 fine.

—Associated Press Wirephoto.

ON AND ABOUT THE SCREEN

Speculation on 1937 Award—Veteran Meets His Proteges

By H. H. NIEMEYER

HOLLYWOOD, March 20. (Copyright, 1937.) ANY of our higher brackets will presently be en route to London to see the coronation. It is reported that even now it is difficult to get board and room on any of the big liners that are due to hit England in time for the show, because of advance bookings. It is a trip that will cost the traveler a pretty penny. The Americans are expected to leave several millions of dollars in England. We have looked up the record, and we find that very few Englishmen came to the United States last January to see the American ceremony that corresponds to their own coronation. This is the inauguration of our President. Most of the Englishmen that did come were house guests. About all they left in this country was their kind regards. It seems that the reciprocity agreement between England and America in these matters. Of course, we can readily understand why the English did not manifest the same interest in our inauguration that they were taking in their coronation. They had heard they could see an inauguration every four years, so probably felt there was no need to hurry.

FOR A NATION that had a tough time shaking off the shackles of royalty, we still take a heap of interest in the doings of crowned heads, and of the nobility in general, especially the nobility of England. The descendants of those embattled Joskins whose favorite pastime was running the representatives of royalty right out from under their periwigs, have inherited little of their forebears' distaste for all things royal. Indeed, in many sections of this country, we go to great pains to preserve the illusion, and the pattern of royalty. A large number of American cities make quite a point of annual civic glorification of the fruits, and flowers, and the potatoes, and to mention, and other products of their neighborhood and invariably their elect kings and queens of these festivities, and place crowns upon their heads, and invest them in royal raiment, and all that sort of business.

WE have placed high up on the list of the bills that we are going to introduce when we go to Congress, a measure designed to teach the nation that it tends to undermine the principles of Republicanism, besides making the ladies who lose out for queen mighty sore. It teaches the nation that it tends to undermine the principles of Republicanism, besides making the ladies who lose out for queen mighty sore. It teaches the nation that it tends to undermine the principles of Republicanism, besides making the ladies who lose out for queen mighty sore.

IF a city feels that it positively must have a ruler of its festivity, let them call him, or her, as the case may be, Mr. or Mrs. Chairman. And let them discard the crown and the royal robes in favor of derby hats, pants and one-piece bathing suits. We have a right to see if a queen looks like one.

OF COURSE THIS COUNTRY is not nearly as excited about royalty nowadays as it was some years ago. There was a time when we used to get in an awful lather if the action of a royal house visited these United States. Of late years we have become more accustomed to royalty, and manage to keep our emotion down to a light perspiration in the presence thereof. We are inclined to attribute this freedom of restraint to the gracious democratic influence of Prince Mike Romanoff.

When Prince Mike first began appearing in public in this country, he noticed that Americans seemed awed in his imperial presence. This distressed Prince Mike Romanoff, as he is innately a friendly soul, and he wanted people to like him. He decided that the way to demonstrate his democracy was to drink with anybody who asked him. That was years ago, and by the fall of 1926, it was estimated that Prince Mike Romanoff had drunk with everybody.

THIS AMERICA CAME to have a different understanding of royalty. If you ask a prince to have a drink, and he accepts, the conversation immediately loosens up, and becomes informal. Prince Mike Romanoff got so democratic that he did not mind if his host of the moment wore his hat while drinking with him.

The last we heard of Prince Mike Romanoff, he was middle-fingered his way toward Hollywood, which is the royal gateway. Ordinary warblers employ the thumb. Prince Mike had learned of four citizens in Hollywood with whom he had never drunk. He was afraid that they might think he is class-conscious.

There are those who assert that Prince Mike Romanoff is not a prince at all. They allege that he is not as much as a duke. That he is no count. They charge that his pretensions to royalty are wholly spurious, and say that he is just a fellow from the Bronx. We are inclined to resent these assertions, especially the last. Prince Mike Romanoff may not be a prince. He may not be a duke or count. We do not know. But we do know that Prince Mike is not from the Bronx.

ON AND ABOUT THE SCREEN

Speculation on 1937 Award—Veteran Meets His Proteges

By H. H. NIEMEYER



VICTOR MOORE, COMEDIAN, OFFERS BEULAH BONDI, HIS LEADING LADY, A PIECE OF HIS BIRTHDAY CAKE.

WHAT Hollywood raves about, however, and what the rest of the country thinks are two very different matters. Practically all the customers out here except us picked the first Nino Martini film, "The Gay Desperado," as an academy possibility. The New York newspaper critics awarded a medal of their own to Rouben Mamoulian for directing the picture, but the public never got tremendously interested. Then, to cap the climax, it now develops "The Gay Desperado" failed to get a single vote when the time came to make academy nominations for the best picture of the year. Hollywood, it seems, changes its mind, if any, or forgets, or something. Jesse Lasky has new plans for Martini, who is coming back here on May 1 to make his next picture. Getting away from the producer taboo on Hollywood backgrounds, Lasky will put his singing star into a comedy called "Born to Sing," and the story will poke considerable fun at Fickler's "Born to Sing" will be a musical, but of the more intimate type, depending upon Martini's voice rather than upon big production numbers.

MAURICE MOSKOVITCH, who for almost half a century, has been a distinguished actor on the international stage—he played "The Merchant of Venice" in five different languages—has come to Hollywood to begin, at 66, a screen career by playing a leading character role with Victor Moore and Beulah Bondi in "Make Way for Tomorrow," has had a lot of the present movie celebrities under his wing at one time or another. His acting paths around the world have crossed paths of many others, and he recalls that Herbert Marshall was his first Antonio, in his initial production of "The Merchant of Venice," in London. The renewed acquaintance the other day at Paramount, where Marshall is engaged in rehearsals for his forthcoming appearance opposite Marlene Dietrich in the Ernst Lubitsch production, "Angel."

Basel Rathbun likewise played with Moskovich in "The Merchant of Venice" on the London stage. He was first to appear in the role of "Bassanio." Claude Rains, who came into screen prominence as a result of the Ben Hecht-Charles MacArthur production, "Crime Without Passion," played with him in London in "The Government Inspector," a translation from a Russian classic. Rudolph Schildkraut, the elder,

was a good friend of Moskovich. He remembers Charles Laughton, who has done quite well in making a name for himself, as a very young actor. Laughton, strangely enough, went as a pupil to Claude Rains, when the latter was active as a drama coach. Rains insists, however, that Laughton was the one pupil to whom he could teach absolutely nothing about acting, because "he knew all about it instinctively."

They break into pictures by playing all sorts of queer occupations these days. Warner, you know, has a fairly recent ex-steel worker playing a big part at the moment, and if it hadn't been for cotton, Rube Davis, hailed out here as a rival to Bob Burns, would probably never have figured in the entertainment world. Picking cotton under a hot Oklahoma sun is a pretty tough job. Let's harder than working in a studio or on a vaudeville stage. So one day Rube took his cotton-picking pay and bought a guitar. Heard that a tent show in Magnum, Ok., was going to have an amateur contest the following week, and he hitch-hiked to the town, picking up three chords on the way, and won first prize, \$5.

"Now, look here," he said to himself. "If money comes that easy, what am I pickin' and choppin' cotton for?" He couldn't answer the question, so two weeks later he left school about it, and it sounded exactly like something Grace thought she would adore. So Grace chased herself downtown the next day and found it, liked it and bought it for her living room. A herringbone weave cotton material with the large water lily motif printed on it. Grace got it in a pinkish snuff color ground with the design in greens and white with putty gray shadows and a touch of yellow.

In the end the whole room took its coloring from this design. Grace had the walls done in putty gray, found a piece of plain green to go on a pair of easy chairs and a plain yellow to slip cover an odd chair. The figured material was used for draperies and for the sofa, and she got a rug in the pinkish snuff color, too. But, oh, goodness! not misunderstand us about that—she didn't buy the rug just to match the drapery material. She liked the tone of it at River ground so well and felt that it was such a thoroughly satisfying color that it would fit the room pleasantly any after the draperies had been changed.

As for the furniture itself, which Grace was buying new for the most part, she combined eighteenth century English and French pieces, some mahogany, some in walnut. The combination of different periods of furniture is more interesting often than a room furnished entirely in one style. It will have personality and harmonious contrast. If the combination is skillfully made. One simple rule to follow is to keep to the same century in putting various styles together. For instance, if you're using eighteenth century things, as Grace was, you will be pretty safe if you use furniture of this time, whether it is English, French, American or Italian (providing of course it has about the same degree of formality). The same would hold true of the nineteenth century, etc. But this rule, like all rules, is made to be broken! You can skip around to your heart's content through the centuries, provided you do it harmoniously.

The writer's bulletin "Combining Different Periods of Furniture" discusses this problem further. It will be sent on receipt of a stamped, self-addressed envelope. (Copyright, 1937.)

Diced marshmallows give a "rough" appearance to cake frosting if they are added just before the frosting is placed on the cake. The marshmallows blend well with chocolate, spice, gold, nut or white cakes.

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709 Pine St. 6th Floor

Winning Cards Should Be Held For Stoppers

Established Long Suit Winners in Trumps Valuable for That Purpose.

By Ely Culbertson

(Copyright, 1937.)

IN playing a hand you should be careful to keep stoppers in your opponents' strong suit or suits as long as you can.

Avoid leading a suit in which you will develop more trick winners for your opponents than for yourself. You should keep whatever winning cards you have as stoppers.

Important: Remember that at trump contracts your established long suit winners in the trump suit are valuable as stoppers. They prevent your opponents from winning tricks in any suit in which you are void. Until you have developed as many tricks as possible in other suits, do not use your long trump suit, except when you need an entry, or when you will lose a trick if you do not ruff it. Take the following hand as an example:

South, dealer. North-South vulnerable.

♠	A 6 5		
♥	Q 8 5		
♦	A 9 4		
♣	A 3 7 4		
♠		♠ 10 9 8	
♥		♥ 7 5	
♦		♦ 8 5 3	
♣		♣ A 8 3	
♠		♠ 7 6 4	
♥		♥ A K 9 8 3	
♦		♦ 7	
♣		♣ 10 9 8	

On normal bidding you would be the dealer with the South hand at a contract of four hearts. Typical bidding would be:

South	West	North	East
1♥	3♦	3NT	Pass
3♥	Pass	4♥	Pass

West opens the king of diamonds and you would win with dummy's ace. Since dummy's trumps cannot be used as ruffing, you immediately would draw the adverse trumps. After taking three rounds of trumps you could go on winning tricks without losing the lead for quite a long time. You could take two more trumps and then the ace and king of spades, but after that you would be through. The opponents would take the rest of the tricks with their high clubs and diamonds. Therefore, you should save your trumps and your top spades.

OUR first step should be to examine the hand carefully to see how to increase your total of tricks to 10. Your best opportunity is to set up some clubs.

Therefore, after having won the trumps you immediately should abandon your streak of winning tricks. You then should start to lose a couple. Your lead to the fourth trick should be a club. Whichever opponent wins will lead a diamond, and you trump. You then lead another club, and the opponents win and lead another diamond. You thank your lucky stars that you have held on to both of your extra trumps, for now you can trump this diamond also and win two clubs with dummy's queen and jack.

Note that you cannot afford to take even one of your high spades. If you do, West can win the first club and knock out your other high spade. Then when East wins with his king of clubs he immediately can cash two spade tricks and you will be set. The high spades and your extra trumps are stoppers to hold off the enemy while you set up your own tricks.

TODAY'S QUESTION.

Question: When is it correct to redouble? Answer: It is correct to redouble when you are certain that you will make your contract, or that you have an excellent play for your contract and cannot be defeated by more than one trick. You should not redouble, however, even under these circumstances, when the opponents can rescue themselves profitably.

The Sign of Good Judgement



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A Social Note

By Marjorie Hillis

Author of "Live Alone and Like It"

DEAR MISS HILLIS—I would like to do a little entertaining and return my social obligations, as you have recommended, but I find it a hard problem. I work six days a week, and my housekeeping arrangements are limited. While I have a fair-sized living room, my kitchenette is not much more than a shelf and I have very little equipment. What do you suggest?—L. A. B.

DEAR L. A. B.—Why not have a Kaffeeklatsch on Sunday afternoon? One or two smart New York hotels are making quite a point of this Sunday coffee hour, and people seem to like it. It involves very little work or equipment and

you have plenty of time for preparation. Give your guests a choice of drinking the coffee as they usually do or adding whipped cream, in Viennese style. And if you have two coffee pots, have a coffee substitute besides, for those who prefer it. As for the accompaniments—this is a perfect time to serve those delicious sweet breads and rolls that always look so tempting in bakershops, but are too sweet or too heavy to have at most meals. Pecan coffee rings, cinnamon rolls, Danish pastry, or Streusel are all good, and if you serve them with plenty of butter, and no other refreshments, every one will fall to and enjoy them thoroughly.

You might, of course, have assorted sandwiches instead (or in addition), but they involve more work and are more obvious besides. And you will find plenty of variety in the type of pastry if you have suggested, if you shop around a bit and make your selections carefully. If there are any foreign bakeries or confectioners in your neighborhood—German, Austrian, Armenian or Swedish—go to them and see what you can discover. You may come out of a special cake that will be the hit of your party. And with this plan, the coffee is all that goes on the stove, and you'll need very little equipment.

It's a good idea to remember that the hostess (or the host) is the most important part of any party. Light refreshments and a care-free hostess who is having a good time are a much better combination than a strained and anxious hostess and a profusion of elaborate things to eat, no matter how good they are.

When guests arrive, don't fuss. See that they are served, as unobtrusively as possible, and try to put congenial people together. That does—have as much fun as you can out of the party.

Lack of Vitamin G is probably the material that gave grandma the scurvy hands and the furry tongue.

QUICK Strawberry Short Cake

Jenny Wren SHORT CAKE MIX

What the well dressed shelf is wearing

If you had an interior decorator "do" your home, she would probably dress up your closet shelves with ROYLEDGE—that wonderful, improved NEW shelving. It comes in dozens of modern and period designs—colors and patterns for kitchen, pantry, linen, guest closets.

Once up, Royledge stays put for a long, long time. You don't have to bother tacking it on—its edge hangs flat, without curling. Yet, 34 buys 9 full feet. If you think that this daily price is too good to be true, try Royledge in

just one closet—then you'll instantly discover them all! At all 54 and 104, neighborhood or dept. stores (104 sizes, too). "Feel the edge"—then you'll know why Royledge wears so well. Royledge, 99 Gold St., Brooklyn, N. Y.

When you need Royledge... get ROYLEDGE... 5¢ and 10¢ packages!

ROYLEDGE SHELVING

WIN A GR WATCH

ROYLEDGE SHELVING

"Spring Tonic" Is Obtained In Fresh Food

Now It Is Really Taken in Proper Diet Throughout the Year.

By Logan Clendening, M. D.

THE twin brother of the spring bath of our ancestors was the spring tonic—sulphur and molasses or sarsaparilla, or best of all, a mass of greens. Our grandmothers gave these things blindly. We understand a little bit better the method of their operation. There is no question that our grandmothers were right, even though they did not understand the reason for prohibiting a bath during the winter and starting out with some sort of "blood cleanser" in the spring.

We take our spring tonic now all through the year—all through the winter, in the form of fresh vegetables and fruits, and fresh meats, which were almost unobtainable during the winters of 50 or 75 years ago. The lack of vitamins in these substances caused the skin to become scurfy, and if our ancestors had bathed as much as we do in the winter, they would probably have had quite a serious skin condition.

Another thing that our grandmothers did blindly was to determine the amount of spring tonic that was needed by seeing whether the tongue was furred or not. As I said a week or two ago, the modern physician does not use the tongue in diagnosis very much any more, because avitaminosis does not occur to that extent except in certain faraway parts of the world.

THE green vegetables—the mess of greens grandma used to clear up her tongue and take the scurf off her hands—contained various kinds of vitamins. If grandma's potato barrel lasted through the winter, the family was probably protected from Vitamin C deficiency, which means scurvy, because the potato contains a good deal of this, but there are other vitamins which are not present in that article of diet.

To show the difference between the green vegetables and others: A recent study by the United States Department of Agriculture on the difference between the outer green leaves and the inner bleached leaves of lettuce (heaven's gift to the dietician), showed that the Vitamin A content was 345 units (Sherman) per gram in the green and 1.0 in the bleached leaves. There was little difference in Vitamin B between the two. Nor Vitamin C. Vitamin G, however, showed 1.18 units (Sherman) per gram for the green leaves, and 0.87 for the bleached leaves in one test.

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Programs for Tonight on KSD

At 5:30, George H. R. At 5:45, Little Orphan Annie At 6:00, Police Court At 6:15, Vocal Variety At 6:30, Police Court At 6:45, Police Court At 6:55, Musical Comedy At 7:00, Johnny and the Orchestra At 7:15, Police Court At 7:30, Police Court At 7:45, Police Court At 7:55, Police Court At 8:00, Police Court At 8:15, Police Court At 8:30, Police Court At 8:45, Police Court At 8:55, Police Court At 9:00, Police Court At 9:15, Police Court At 9:30, Police Court At 9:45, Police Court At 9:55, Police Court At 10:00, Police Court At 10:15, Police Court At 10:30, Police Court At 10:45, Police Court At 10:55, Police Court At 11:00, Police Court At 11:15, Police Court At 11:30, Police Court At 11:45, Police Court At 11:55, Police Court At 12:00, Police Court At 12:15, Police Court At 12:30, Police Court At 12:45, Police Court At 12:55, Police Court At 1:00, Police Court At 1:15, Police Court At 1:30, Police Court At 1:45, Police Court At 1:55, Police Court At 2:00, Police Court At 2:15, Police Court At 2:30, Police 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**IF YOU
ASK MY
OPINION**

By Martha Carr

My dear Mrs. Carr:
WHILE I feel apologetic for having written you, I am hopeful that you can assist me out of my little dilemma. I am a girl 22 years old and was graduated practically four years ago from high school. Since then I have lived on the farm with my parents and have helped them in regular farm routine, although there has been small remuneration during the last four dry seasons. Consequently, I have become dissatisfied and want to go to the city where, I feel, opportunities are greater. Besides financial reverses, I am unhappy because I have to live almost in seclusion. I am forced to forego contact with young people because of my father's idiosyncrasies, which include a morose and irascible temperament. Then, too, there is a scarcity of young people here. Now I am wondering what I can do if anything—since I have no income of my own. (I have tried unsuccessfully to find employment here.) Do you think my desires are justifiable in view of the fact that there seems to be little hope for anything better? Will you please advise me? ARKANSAS.

Whether you leave your farm home for an uncertainty in city work, or not, depends very much upon whether or not you have some definite kind of city work in mind that you are sure you can handle. I do not think it wise for a girl who has no acquaintances, and who has no special preparation in work done in a city to take such chances. But that need not keep you from preparing yourself while in the country for that work. A correspondence course probably may be had in some line you prefer. I shall be glad to send you my leaflet on "Occupations for Women," if you mail me self-addressed, stamped envelope. This list may suggest work at or near your farm home as there are lists of a variety of occupations—rather out of the "cut and dried" field. You will find as many idiosyncrasies, more perhaps, among employers than you have learned from your father; these in places where you may not dare resent them; if you would keep your job.

Dear Mrs. Carr:
I AM very anxious to correspond with a boy or girl in a foreign country. I would prefer someone in England or in Australia—or any English-speaking country, as I do not take a foreign language in high school. Could you please tell me where to find this correspondent?

AUDREY E.

Write to the International Friendship League, 706 Boylston street, Boston, Mass. You will be safe in writing to one whose name is given you by this organization.

Dear Martha Carr:
I READ your column Friday evening, and I agree 100 per cent with Mary and Ann, who wrote you about these modern, fast boys. Before I go farther I better tell you I am a boy, not a girl. I am in my teens, too. I can't get a date with almost any girl I know. And most of them want to stay out 'til all hours. I am not in favor of that. I can think of a lot better ways of having fun than to stay out late and "neck." I am by no means a sissy or anything like that. I wouldn't mind meeting a girl like Ann or Mary, who have the same ideas I have. I may be only 19, but I've been in 10 different states and have seen and heard a lot. S. C. P.

Dear Mrs. Carr:
I SHOULD like to know if there is any way to remove rust-colored fingernail polish from a ribbon. GRATEFUL.

You can try nail polish remover, but I cannot be sure that this will not leave a stain.

Dear Mrs. Carr:
WHILE reading your column for the past six months and taking note of the many things that you have done for others, not once did I think I would ever have to appeal to you with a problem to solve or something for you to enlighten me on. But one never knows what may befall one. I came to your city last October with my wife and baby and within a few days landed a job, for which I was very thankful, even though the salary was small. But now the privilege of earning that bare living has been taken from me because of a strike.

Not having been here long enough for relief and knowing no one to call upon, my mind is in a turmoil. My landlord says I must pay my rent. I am only 32, have good health, and am a skilled mechanical worker. And Mrs. Carr, knowing that I can do so many things and yet cannot get work, makes me wonder if I am a complete failure. If anybody has any suggestion, for the sake of my wife and baby, if not for myself, I would be certainly grateful and their kindness not forgotten. WORRIED.

Yours seems to be an unusual case at this time, hence I have used your letter and I should like to help you; but it is impossible for me to secure employment for anyone. If you have not advertised for

**Why Modern
Marriage So
Often Fails**

A Discussion of the Problems That Confront People Today.

By Elsie Robinson

(Copyright, 1937.)

WHAT'S wrong with marriage? Why do people, who are starry-eyed with ecstasy over each other one month, become cool, indifferent, increasingly suspicious and unkind three months later? Is there some sinister, secret poison in these solemn vows? Is it impossible for our human nature to live sweetly and generously in the close, continuous companionship of wedlock? Or do we spoil marriage by our own unconsidered carelessness . . . by petulance and possessiveness which we'd never dream of exhibiting in any other form of human relationship? By childish unfairness and unreasonableness?

And does this all spring from the romantic nonsense we've heard since we were babies, and seen displayed in films? "AND SO THEY WERE MARRIED AND LIVED HAPPY EVER AFTER"—that's the fairy-tale ending we expect of marriage in 1937, just as other lovers expected it in 1873. But never was there a more mischievous whopper. For no one ever "married and lived happy ever after." No one "lived happy ever after" under any conditions, either married or single. We all live as happy, as bravely, beautifully and generously as our individual characters permit. And if we're unhappy in marriage, it's because those same weaknesses would have made us miserable as bachelors or spinsters.

There's the bedrock truth about wedlock—and that's why I'd like to give every Newly Wed Modern a copy of Mary Roberts Rinehart's book, "MARRIED FOLK." For Mrs. Rinehart doesn't depict marriage as some special, complicated boom. She sees it, instead, for what it is—the most serious and civilized contract which two people may make with each other, their world and their God; a contract calling for all that each mate possesses of kindness, courage, frankness and common sense.

Bringing these to marriage and any two lovers may reasonably expect to create a little heaven for themselves, in spite of poverty, illness, accident and the bewildering which besets us all nowadays. Omit them, and you're in for certain hell, no matter how intelligent or talented you may be. One by one, Mrs. Rinehart takes the peculiar problems of our modern lives and shows how their tragedy developed, not because of outward circumstances, but through some private failing which might easily have been averted or adjusted.

There was, for example, that all too common mishap of the working wife, the unemployed husband, Edith Gordon—devoted wife and mother, with her sudden, unexpected literary success. Dan Gordon, outstanding man and male with his equally sudden failure, through the collapse of his engineering job. Edith, of necessity, carrying all the bills—gladly, with gallant delicacy. Dan, watching her carry them, with increasing bitterness. His pride galloped. His viewpoint all warped. Why couldn't he see how hard he was making it for his wife? Why couldn't he be game about it, instead of bludgeoning her with his hurt pride and self-pity?

Day after day, the breach widening. Until one night, roused by the baby's croup, his attempt on his own life. "She knew at once. It seemed to her that she had known it all day, known it for weeks and months. . . . The carefully kept up insurance . . . his attempt to detach her from his life so as to soften the blow . . . this was what they meant."

Yet, in spite of himself, Edith saved him. More vital, still, saved his pride—brought him back to his man world undiminished, unscarred. A true story, which probes that abcess which is poisoning many a marriage. Perhaps your own? A vigorous, vital book which shows marriage as it is—the greatest spiritual, mental and physical challenge instead of a go-go fairy tale. I wish I could give it to every bewildered young couple. How I wish I'd had it myself at my peevish, self-pitying nineteen!

Dog Trouble
Be sure to hang your fur coat in a closet when visiting in the home where there is a dog. The smell of certain furs is apt to bring out the wild instincts of some types of dogs and if given a chance, the dog is apt to attack the fur and destroy it.

special work, you should do so without delay; you will find that way reach a much wider circle of business people. You will hear from me later, if I have any inquiries.

In Her Chicago Laboratory Maud Slye Wages Life-Long Fight on Disease, Not Through Cure, But Through Control.

By VIRGINIA IRWIN

CHICAGO, Ill., March 29.

BEFORE the watch on your wrist ticks off another hour, at least 12 persons in the United States will have died of cancer. Before another day is over, 300 persons will have lost the battle with the disease and before another month has passed cancer will have claimed more than 9000 lives.

Not a pretty picture is it? But it is the picture that a keen-eyed woman holds before her as she goes about her work in her laboratory on the fringe of the campus of the University of Chicago. It is the

BATTLEFRONT Against CANCER

picture that has kept her toiling 18 hours a day for 30 years with little encouragement from mankind, in whose service she has spent three decades.

Her name? Maud Slye, the woman who has consecrated her life to a single purpose—ridding the world of the curse of cancer. When Maud Slye started her work in cancer research she was young and vibrant; today she is 58 years old and a little tired. But she is happy.

"The genetics of cancer is solved," said Maud Slye as she spread her hands over a sheet of charts and records—embodying the results of her work in cancer research. "I have reached my conclusions. The control and prevention of cancer is possible. The rest of the work lies in education—in the intelligent facing of the facts that cancer can eventually be eliminated from the calendar of human ills by selective mating."

Maud Slye's conclusions are based on the results of crossing more than 200,000 cancerous and non-cancerous mice. She has kept clinical records in the most minute detail and thinks that mouse cancers and cancers in the human animal are very similar in types, organs involved and behavior, and upon her knowledge of the genetics of mouse cancer, she poses her statement that the control and prevention of human cancer is possible. The problem of curing cancer once it begins its slow, painful siege upon human life, she leaves to others; her concern has always been in the field of prevention, with an eye to eventually wiping out the disease which has defied science for generations. With patience, but in a voice betraying the fire of a zealot, Maud Slye translated her theories from the professional to workaday terms as we wandered in and out between the rows of sterile cages that house the 9000 mice in her laboratory.

"Simply," she began, "the hope for the prevention and control of cancer lies in my conclusion that there is one unit recessive gene for carcinoma—that is malignancy in the epithelial tissue—and one unit recessive gene for sarcoma—which is malignancy in the connective tissue. Also there is one unit recessive gene for leukaemic diseases—that is malignancy in the blood or lymph cells. In addition there is one unit recessive gene for each location of malignancy—that is for breast, lung, bones, etc. Now, I think that it takes two genes to produce, for instance, breast carcinoma—one for carcinoma and one for the location. So there are two ways by which you can rule malignancy out of a family—one by ruling out the malignancy factor, the other by ruling out the localization factor."

IN still simpler terms, Miss Slye went on to explain that she believes the solution of the cancer problem will be at hand when she can convince people that a person with an inherited susceptibility to, say, breast cancer must not marry another who carries the same localization factor.

"If two people, knowing that they both carry the same malignancy factor and the same localization factor, wish to marry, then there is but one intelligent thing to do, and that is to refuse to bear children who will inherit a predisposition to the same type and location of tumor," said Miss Slye. "All, we take all manner of pains with the beef we breed for market; we have our prize dogs and cats, and yet with no thought at all children are brought into the world with little hope of escaping cancer. I do not say that a couple, knowing that they both have an inherited tendency to, say, cancer of the tongue, have no right to romance and marriage, but I do say that they have no right to add to the total of human suffering by bringing children into the world who will some day join the ranks of cancerous humans."

Last September, Maud Slye went



BATTLEFRONT Against CANCER



MAUD SLYE . . . GENERATIONS OF MICE ARE HER PATIENTS.

and what we can do with it sets the goal of humanity," she explained. "But soon . . . discovered that the foundation was not laid for the study of mental heredity, and when among the offspring of my first pair of mice I noticed a case of breast cancer I immediately decided to study the relation of heredity to cancer."

Using her own money, Maud Slye set about designing and building galvanized iron cages to house her ever-increasing number of mice. From dawn until midnight she worked, feeding, her charges a diet of fresh white bread, whole milk and cream, a mixture of millet, hemp and canary bird seed and timothy hay. She, herself, sterilized the cages and other laboratory apparatus, and often grew weak from overwork and hunger, because her funds were not sufficient to feed both her mice and herself.

"Then Otho S. A. Sprague died, and with the millions he left for medical research, the Otho Sprague Memorial Institute was founded and my work was made easier."

From the very beginning Maud Slye realized that the genetics of cancer in mice could be established only after thousands and thousands of matings. She realized, too, that her records must be free from doubt, and so through 30 years she has kept individual charts for each mating, family histories, and in the university's pathology department she has a museum of tissue slides and autopsied mice to back up the facts and figures on which she has based her conclusions.

In May, 1913, before the American Society for Cancer Research, Maud Slye read her first paper, showing that the theory of infectivity of cancer was false and that through her experiments she had established that cancer was decidedly hereditary and definitely not contagious.

In 1926 she announced her proof that cancer can be eliminated from the human race by mating mice and probably can be eliminated from the human race by mating through successive generations pure non-cancer strains with hybrid susceptible cancer carriers, and today after 30 years of study she declares without reservation that cancer can be eliminated in many cases in the first generation by avoiding marriages in which both parties carry the same localization factor.

"For example," suggested Maud Slye, "if a person with an inherited susceptibility to, say, breast cancer, selects a mate who does not carry the inheritance factor for breast location, breast cancer will be eliminated in the first generation, even though the mate selected

carries a tendency to cancer of some other location."

Miss Slye believes that the genetics of cancer is solved and now she intends to direct her research work along the lines of establishing whether or not there is any dominance or recessiveness among the different types and different locations of tumors, and also determine the inter-relation between susceptibility to one type and location of tumor and the kind of external factor that reacts towards different types and locations of cancer. Long ago she determined that irritation must be present to produce cancer in a cancer susceptible person, and now she will attempt to discover all possible external factors and their relation to various types and locations of malignancy.

Besides a realization that cancer can be controlled by selective mating, Maud Slye thinks the world needs an awakening to the fact that little can be accomplished until exact statistical data on family histories is kept.

"There are autopsies in less than 1 per cent of the deaths in the United States," she points out. "And yet by universal examination after death, not only could the location and type of every cancer be determined, a knowledge necessary to future generations if intelligent marriages are to be made, but it could be discovered just how cancer spreads and what effect it has on various organs of the body and what steps could be taken to prevent multiple cancer."

JUST how many more years Maud Slye will spend in her laboratory will depend entirely on the toll the past 30 years have taken on her health. She knows that cancer has defied science for generations and she does not hope to solve the mystery entirely. She wishes only to be allowed to spend her remaining years among her 10,000 mice, probing into the strange ways of the disease that today causes one out of every 10 deaths in the United States.

The most distinguished person in the field of cancer research, Maud Slye received the gold medal of the American Medical Society and the gold medal of the Radiological Society, both given for distinguished service in medical research. She was also made honorary member of the Seattle Academy of Surgery and also of the Southern California Medical Association, after presenting her work on the Pacific coast. She courts no publicity and lives simply, quietly, across the street from her laboratory. She seldom gets very far away from her precious mice, because she remembers a winter night many years ago when the temperature dropped and she had to brave a storm to save the lives of the tiny creatures on whom her whole life's work has been built. She has never married because 30 years ago she consecrated her life to the work upon mankind's most vicious enemy—cancer.

**Music Lesson
Need Not Ink
Young Pupil**

Parents Can Overcome Resistance, Due to Restriction on Liberty.

By Angelo Patri

MANY children balk at music practice, my because it is difficult for them, but because it is a restriction upon their liberty. They think about the other children, out on the play field, or in the movies, and begin pitying themselves as victims of heartless parents and mean old teachers, and the tears begin to flow, tempers are ruffled, and Music takes her harp and flits away from there.

What is to be done with such children? It is plain to all who know them, their parents included, that they are not going to be musicians in the professional sense of the term. But then, in the schools, these same children study a poem, many poems, plays, take a complete course in literature. Nobody expects them to be poets or writers because of that. They study to form a background of understanding for a great art, the language of their people set in its most beautiful forms. They often weep over their tasks, but we bid them wipe their tears and go on. Why not do the same with these music-hating children?

It is not the music they hate; it is the work it entails and the practice time it costs them. They are not enduring great hardships. They are being asked to devote one-half hour a day to their music, not that they will become musicians, but that they will be able to enjoy the universal language of the spirit, which is music. Having learned to read music, interpret a little of it, play it and so experience it, they have earned for themselves a background of beauty that will give them many a happy hour. That is worth a little self-discipline to attain. It does not hurt a child to do something he does not want to do now and then, especially when what he does is for his own good.

THE music lessons ought not to demand too much time. The playtime of a child should be respected and safeguarded. He needs hours of freedom in the open air if his health is to be preserved and his growth maintained, but any healthy child can so budget his day as to have time for his music.

In music, as in every other department of the curriculum, we have children at both ends of the curve. At one end the children who have no ear for music. They will never be able to learn the technique of the violin or the piano, and it is best to give them some other sort of training. The genius is standing alone at the other end. He will not need pressing to attend to his music. He will hunger and thirst for it. It is the great in-between group that makes the trouble. They can learn enough music to make it a pleasure for themselves and for others later on, but they don't want to be bound by the time.

Look such a child over carefully. If there is money enough to spare for his lessons, if he is in perfect health, if he has plenty of time and he does learn when he is made to learn, just take for granted he will take his music lessons and practice regularly. If you insist he will get into the habit of it. But remember, it will cost you more than it will cost him, every time.

Angelo Patri will give personal attention to inquiries from parents and school teachers on the care and development of children. Write him in care of this paper, enclosing a three-cent stamped, self-addressed envelope for reply.

It is safer to use three tablespoons of juice when a recipe calls for the juice of one lemon, as this fruit varies greatly in the amount of juice to each lemon.

**TOMORROW'S
HOROSCOPE**

by WYNN

For Wednesday, March 31.
FIRST of three days for going into the future, the help of the stars, advertising, travel, receive visitors. Today: favorable for improving relations with both superiors and inferiors. Do it.

What Not to Do.
If you don't know what you want, find out as soon as you can. Aimless drifting, hoping for the best instead of working for the best, waiting for promotion because of seniority instead of because of increased development—these are the reasons why your life may be over before you begin to use it. We don't come here for merely eating, sleeping and fighting.

Your Year Ahead.
Your year ahead is conflicting, if you celebrate this date. Good outlook in money and career, if you can prove worthy, responsible, in personal ways, esp. May 6-July 17 and

WHY GROW OLD?

By Josephine Lowman

THIS exercise stretches the front muscles and strengthens the back ones. Arms down at sides grasp a wand or a broomstick in each hand a natural, comfortable distance apart. Place the stick behind the shoulders toward the top. Keep the arms and wand in this position while you lower the trunk forward as far as you can with a straight back. Raise the trunk

upward and bend it back as far as you can (head back at the same time). Continue bending forward and back.

What is your figure moulding problem? If you want your questions answered directly, send a 3-cent stamped, self-addressed envelope. All correspondence will be strictly confidential. Address your letters to Josephine Lowman, care of St. Louis Post-Dispatch.

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Get a bottle of the first man of a little in your throat. It's your best friend for children as well as adults. It's the only cough syrup to relieve your throat.

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COOK COOS

By The Cook

Scientists predict that the human brain will gradually improve to four times its present capacity, and already there are indications that men may be able to see without their eyes.

All the eyes will be used for is to hold notes and beams.

Before Nature goes to all that trouble about brains and eyes, why not fix us up with a third growth of teeth?

LAMAR'S WINCHELL
(Lamar, Mo. Democrat.)
Mrs. Harold French refuses to tell us some news for this column. Mrs. French sneezed and then said, "Don't put that in the paper." O K, we won't. C. H. Miller enjoying a bag in silent contentment after a dinner at Griffith's. Jim Markwick astride his trusty wheel, peddles a while then coasts while he looks at the sights around the square. Mrs. Boy Wright pattern shopping. Master Davy Lee Turner on his bicycle watching the crowd go by. If an egg falls four inches and doesn't break, how far will it have to fall to break? For answer, see Casey Castle. That's all.

Little Willie, under age. Locked his Pa in the zebra cage. Said Ma, "Quite cute, you little boy." If he's been in stripes six times before. —J. Christian.

COME, COME, JOHN—THE PLAY'S THE THING
John Barrymore is reported to have pleaded over the telephone for almost an hour, urging his young wife, Elaine, to forgive and forget—and to take him back. Gossip column.

Of course, if Mister Barrymore (John) must carry this thing on and on, it's not for us to condemn or condone; after all his life is his own. An actor's an actor, and it's a fact that an actor's a fellow who likes to act.

And a Barrymore (particularly John) asks nothing more than the role of Don Juan; and he'll act, by all the gods that be.

Until he's stopped by senility. What John should do, and do it quick, is call an agent, and tell him to pick up a couple of writers to hash a plot.

What makes more sense. Likely as not Heest & McArthur, for adequate pay. Would lend him a hand from day to day.

And put more punch in the piece —it lags. And needs to be packed with some adequate gags.

Poor Ma shook with fever and chills. Pa said, "Should we get some pills?" Will said, "I know what we'll do; we'll put her in the burley-cue!" —Frank Sampson.

A little vinegar when boiling ham will give a pleasing flavor to the meat.

PAGE 4D

DAILY MAGAZINE

A Serial About Values

By EVELYN SHULER

MAKE-BELIEVE LOVE

Roger, Completely Unnerved by Seeing Patsy, Makes a Display of Weakness and Is an Easy Victim for Inez.

CHAPTER FOURTEEN.

AS Roger Stafford, tortured by jealousy and sick with self-contempt, walked blindly from Taranoff's hotel, he passed within a few feet of Jay Cornwall. Each man, intent upon his own thoughts, failed to see the other. Thus does coincidence weave the strands of destiny close but never touching. Had Roger seen the elder man that night the course of his life might have been drastically altered.

Cornwall entered the hotel, and at Taranoff's apartment was immediately admitted by the silent Jay. Patsy was intent upon a play script; Taranoff was sorting a sheaf of papers at his desk.

As Patsy introduced the men she was struck by the contrast they presented. Cornwall, white-haired and distinguished; Taranoff, dark and striking. Their hands clasped briefly, but their minds, their attitudes, their approach to life were miles apart.

"You didn't have to bother to come, Daddy, but it was nice of you to offer when I telephoned," Patsy said. Then turning to Taranoff, she explained: "I am still a little girl to Dad. He'll never believe I've grown up."

"Your father is right," Taranoff said, glancing speculatively at Cornwall. "If you don't mind sitting here, sir?" He indicated a chair at the far side of the room and handed Cornwall a magazine. "We will get to work now."

"The master came to the theater tonight and told me that my part was fattened—enlarged," Patsy explained to her father. "I have new lines to learn and rehearse by tomorrow."

Taranoff concentrated on the coaching, never glancing at Cornwall. An hour passed. Their work concluded, Patsy gathered her things. Her father, came in hand, stood patiently waiting.

"I want to thank you, Mr. Taranoff, for your interest in my daughter's career. I know you have been extraordinarily helpful. I want my little girl to succeed, of course, but the price must not be too high." He looked keenly into the impresario's salow, implacable face.

"In the theater one works with one's head in a cloud of poisonous fumes," Mr. Cornwall, if you allow them to bother you, there is no success. Do not worry. Patsy has ability—she must work and learn."

It was one of the longest speeches Patsy had ever heard. Taranoff made. She listened with surprised interest, failing to catch its full significance.

On the way home, Cornwall, serious-faced and thoughtful, groped for words. There were things he wanted to tell Patsy but he did not know quite how to start. Perhaps Inez was right after all. Patsy might take advice from the people of the theater and underestimate his own.

"Patsy, girl," he began uneasily. "You must never again go to Taranoff's apartment alone at night. I'm glad you telephoned me. You know the things people are saying. If you go there, no matter how innocent your purpose, you will give rise to more gossip."

"Oh, it's all so silly, Daddy," Patsy replied airily. "I'm past it now. We have never talked anything but strict business, Taranoff and I. As

TODAY'S PATTERN

Dress-Up Style



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Problems of Proprieties In Social Life

By Emily Post

Dear Mrs. Post:

There are an exception when one may in all propriety invite a stranger to the house? Some one is visiting me soon who is old enough to be my mother and yet younger than a dear friend of hers who lives in our foremost street in the biggest house in town. Ordinarily I would have no thought of asking her to the house? But she is a most devoted house, but under the circumstances I wondered whether I might telephone or write to her and ask her to come in, setting a definite time, when my guest, who is her friend, will be here and free.

Answer: I think it would be much better to wait and let your guest telephone Mrs. Post. Leader herself, and let them together make whatever plans they like.

Dear Mrs. Post: My daughter has been married for several months, but she and her husband have just told their families about it. As we do not know his parents are we supposed to make the first move to show some friendliness? We hesitate only because they are such important people, who I am sure must have had great plans for their son's future. I can only feel that they are disappointed in this marriage to a family of social obscurity and no means a payless boarder. . . . Yes, you anticipated it. . . . The friend fell in love with the actor's bride and versa-verse.

Answer: According to the correct precept and quite apart from their prominence, it is the duty of the family to call upon the family of his fiancée, and this of course holds true in the case of marriage as well. If they make no move, then I think the best thing to do would be to have your daughter ask her husband what he would like you to do, and act accordingly.

Dear Mrs. Post: I am going to a club reception, at which I shall probably know no one. There will more than likely be a receiving line. How is one supposed to greet these ladies? I mean, do I merely shake hands and say good afternoon impersonally, or will I be expected to introduce myself by name?

Answer: Your name will either be taken at the door by an announcer or else you announce yourself to the one standing nearest the door. "I am Mrs. John Jones." (This is one of the few times when you call yourself Mrs. or Miss.) You automatically shake hands with the others in line, saying nothing further. Possibly each one repeats your name to the next but if they don't you don't repeat it unless one of them asks you.

(Copyright, 1937.)

Lace Prominent in New Fashions

NEW YORK—Cocktail frocks appear in sheerer weaves of lace or net and are generally dark in color. One fashion success is a short blue net shirred throughout the bodice and pleated in the skirt.

Spectator sports frocks of all-over linen or cotton lace, in such colors as dusty pink or powder blue, are ready for the first warm days in the country. Worn with white accessories, they look both cool and smart.

Besides all this there is a wealth of lace accessories to add the feminine touch, so important in spring, such as lace jabots, orandy bibs and blouses edged with fine white Valenciennes lace. Sheer veils appear on many hats.

Lingerie also reflects the influence. Many of the new spring slips and chemises cut on body-molding lines are lace-trimmed. Valenciennes and other white or cream laces are smarter than the coffee-colored Alencon weaves, whose vogue has begun to wane.

Cocoanut Strips

Eight strips baked cake
One egg white, beaten
Three tablespoons granulated sugar

One-fourth teaspoon vanilla
One-third cup cocoanut
Place the cake strips (one by three inches) in a shallow pan and cover with the rest of the ingredients which have been combined. Toast or bake until well browned. Freeze fresh.

Potatoes should be stored in a cool dark place, since they sprout easily. To preserve the food values and insure the best flavor, leave the skins on when cooking them, and cook potatoes of about the same size together.

MAKES CLOSET BOWLS SPARKLING WHITE

8c

8c

8c

8c

8c

8c

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8c

8c

ON BROADWAY

By Walter Winchell

(Copyright, 1937.)

New York Heartbeat.
FACES ABOUT TOWN: Jack Barrymore's new pastime is Peggy Watkins. She is vixenly wealthy South Carolina tribe, sub. . . . Ruth King, daughter of H. King, the moon-pitcher director, claims it's serious this time. His tag is Bud Jenney, a tycoon from Ticker-Tape Canyon. And a member of local society. . . . The gambling sessions at Black's reached a new high last week when Ring Lardner's lad, Jim, won \$300 from Dick Maney during one of those silly "how-many-matches-til-you-win" games. . . . It's a girl doll over at the Robert Jarvis' (Myra Scott, actress) . . . John Roosevelt, whose pop is a President, is partial to the ladies of the local show shops. Flo Sundstrom of "Brother Rat" makes his right arm look prettier. . . . Charles Bennett, the British scenarist (he wrote "39 Steps") and many other superlative shockers devoted his first day in New York (the other day) wandering about town hoping to see a gangster!

Midtown Melodrama: He is a prominent actor. . . . Late, however, he's been acting as though he had lost all faith in mankind. . . . The reason: A few years ago he was happily wed. . . . One pretty day he bumped into a friend (not hard enough!) and learned the friend was broke. So he took him some and made him a payless boarder. . . . Yes, you anticipated it. . . . The friend fell in love with the actor's bride and versa-verse.

Manhattan Melody: The bark of the gold-braided doorman in front of the dime-a-dancehall. . . . The tune the siren and bells play on the fire engines hastening west on Fifty-seventh street. . . . The screech of a cab's brakes which comes to a sudden pause to pick up a fare in front of the Waldorf. . . . The yowl of a columnist whose phrase has been lifted. . . . The muffled roar of the New York Central rat-tlers under Park avenue in the latter 40s. . . . The incessant click of the turnstiles in the Wall street subway depot about 8:30 a. m. . . . The pulsing of El Morococo's rhumba crew, whose tune you can't distinguish above the shouts of the "400". . . . The screech of a siren on an ambulance forced to the middle of the street because of a cross-town motorist's impatience. . . .

Worthwhile Entertainment: "Light, Like The Sun" in Reader's Digest (out of The Forum) by Frances Newton. An interesting thesis on cremation. . . . "The Amazing Mr. Mean" by Edgar Hoover and Courtney Ryley Cooper in the same issue (out of American Mag.). . . . "Seventh Heaven" with Simone ditto and James Stewart, due soon at the Music Hall—a lovely thing. . . . "Top of the Town," a Universal treat, due shortly at the RKO. . . . Renee and Estella's enchanting risqué rhumba routine: "Shoeing the Wild Mare" at Cotto Ottos. . . . The Sonny Kendis crew at the Stork toying with "The Bubbling Over"—a Gordon and Truittous ditty from "Lay Down and Die". . . . Every moment of the new Paradise revue—such faces! . . . "Minuet in Jazz," a recording, by the Raymond Scott Quintet (Irving Mills). . . . Scott's discs are positively symphonic! (The last word.)

New York Novelties: He's a young reporter who toiled for a famous news service here. He went kerpunk over a lovely Broadway doll. She got a chance at Hollywood, and he almost lost his reason pining away for her after she left town. . . . So he figured out a plot. He hired a physician who sympathized with his heartache. . . .

Use up leftovers as soon as possible. They will have a better flavor when they are fresh and you are insuring yourself against spoilage and waste.

"Sweeten it with Domino"

Refined in U.S.A.

for baking ginger bread apples beans ham

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Domino Old Fashioned Brown

Programs for Tonight on KSD.

At 8, Associated Press
At 8:15, George H. Ruggie
At 8:30, Perry and
At 8:45, Little Orphan Annie
At 9, Vocal Variety
At 9:15, Police Qu
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At 9:45, Musical C
At 10, Johnny and
At 10:15, Thrill R
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At 10:45, Wayne K
At 11, "Vox Pop"
At 11:15, Frank J
At 11:30, Fred Asta
At 11:45, Green's orchestra
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MYSTERIES—I PROVE THE READER IS THE
 "ER."

BUT THEY DID
 HIT HIM JUST
 HARD—AND

I TOLD HIM TO
 TAKE IT EASY—
 HE'LL BE A GREAT

Browned Hash Cakes
Three tablespoons butter
Two tablespoons minced onions
Two tablespoons minced celery
One tablespoon minced parsley
Two-thirds cup diced cooked potatoes
Two-thirds cup diced cooked meat
Three tablespoons gravy or milk

ADVERTISMENT

**EASY, SAFE WAY TO
TREAT CUTS—BURNS**

Scalds and Bruises—Proper treatment should be given quickly—not only to relieve pain but to prevent bad after effects. For cure, safe results apply OIL OF SALT. It relieves pain almost instantly. OIL OF SALT should be in every home—for emergency. As all druggists.

ADVERTISEMENT

Help Nature

Now Off a Cold

Second, Calothals are diuretic to the kidneys, promoting the elimination of cold poisons from the blood. Thus Calothals serve the double purpose of a purgative and diuretic, both of which are needed in the treatment of colds.

Calothals are quite economically only twenty-five cents for the family package, ten cents for the trial package. (Adv.)

MEN
Wednesday
DAYTIME STARS
Bringing Household Helps for Home Makers
5 P.M. FEATURE PROGRAMS
| 11:15 A.M.—Stars of Mary Martin and

Pro-	11:01 A.M.	The Metropolitan Club.
Cabage-	11:56 A.M.	"Where the Steam," serial.
	1:00 P.M.	Charge Sisters, vocal info.
	1:15 P.M.	Washington University Educational Notes.
serial.	1:45 P.M.	John Jacob Astor, continuation.
serial.	2:00 P.M.	Post Co.'s "America," serial.
serial.	2:30 P.M.	For Persons," serial.
serial.	3:00 P.M.	Vin and the "G.O.N.O."
serial.	3:45 P.M.	The "G.O.N.O." serial.
serial.	4:15 P.M.	The Guiding Light," serial.
serial.	4:45 P.M.	Help.
serial.	4:45 P.M.	Adventure of "Dust Daa."

STATION'S BROADCASTS

12:00 P.M.	Market Report.
1:30 P.M.	Associated Press News.
8:00 P.M.	Associated Press News.

POPULAR PROGRAMS
UNE TO KSD

Toonerville Folks—By Fontaine Fox

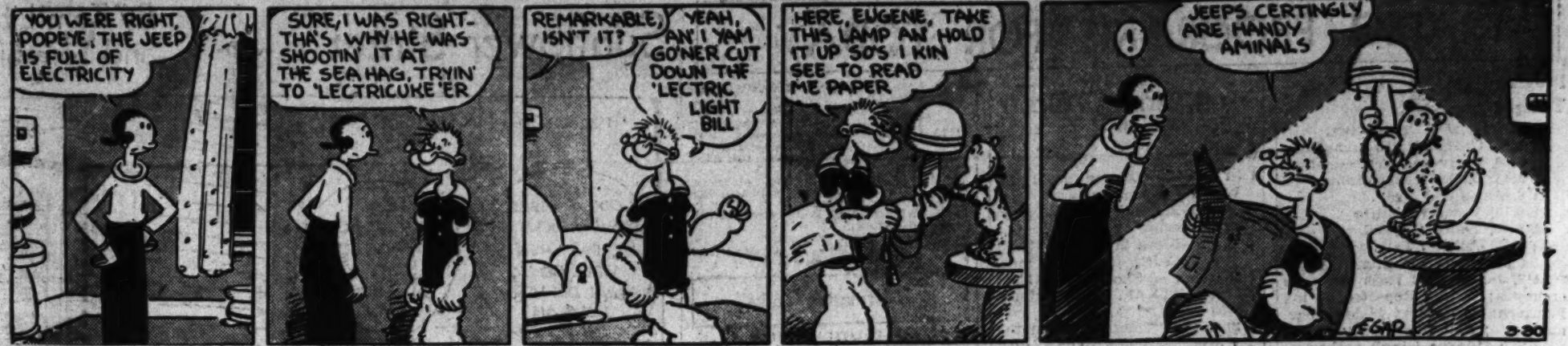
(Copyright, 1937.)



Popeye—By Segar

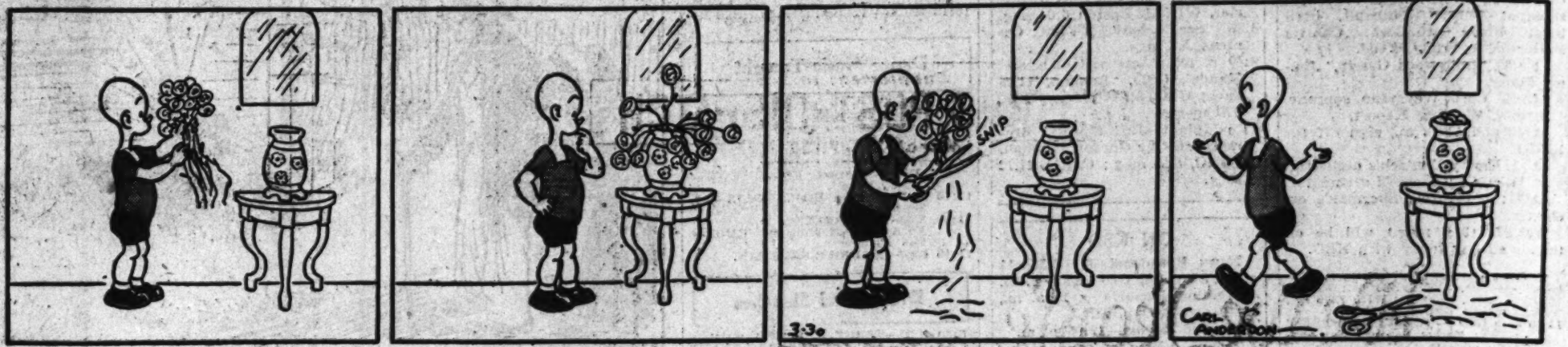
Light Work

(Copyright, 1937.)



Henry—By Carl Anderson

(Copyright, 1937.)



Skippy—By Percy L. Crosby

(Copyright, 1937.)



Big Chief Wahoo—By Saunders and Woggon

Steed Speed

(Copyright, 1937.)



Li'l Abner—By Al Capp

Put Out

(Copyright, 1937.)



Jane Arden—By Monte Barrett and Russell Ross

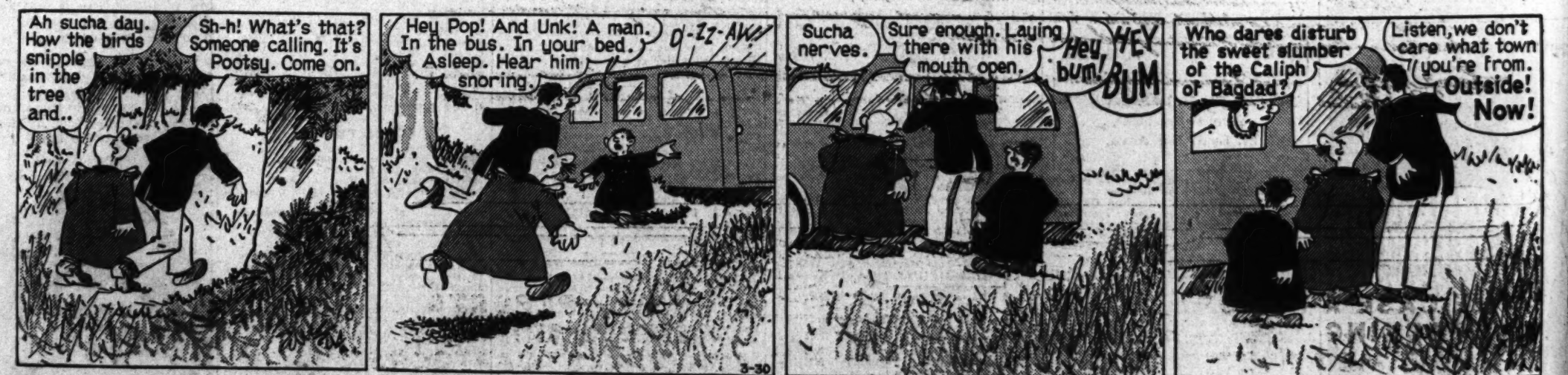
(Copyright, 1937.)



The Bungle Family—By Harry J. Tuthill

In and Out

(Copyright, 1937.)



Blondie—By Chic Young

Twisted

(Copyright, 1937.)



THE CONSTITUTION, THE SUPREME COURT AND PRESIDENT ROOSEVELT

Supplement to
ST. LOUIS POST-DISPATCH

March 30, 1937

We the People

We the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do hereby adopt this Constitution of the United States of America.

Article 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, seven Years a Citizen of the United States, and who, when elected, shall not, when he is elected, have been seven Years a Citizen of the United States.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including Indians bound in Service, three fifths of all other Persons.

The actual Enumeration shall be made within three Years after the first Meeting of the House of Representatives, and within the Term of each subsequent Term of ten Years, in such Manner as they shall direct: The Number of Representatives shall not exceed one for every thirty Thousand Persons, but each State shall have at least one Representative, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

When vacancies happen in the House of Representatives, the State Legislatures may fill them until the next Meeting of the House: Provided, that the Person elected shall have the Qualifications requisite for Representatives.

Section 3. The Senate of the United States shall be composed of two Senators from each State, elected by the People of the State, in Manner which they may direct, for six Years; and each Senator shall have one Vote.

Immediately after they shall be chosen, they shall be divided into three Classes. In each Class, one Senator shall have his Term to expire at the end of the first Year, one at the end of the second Year, and one at the end of the third Year: and if there shall be any Vacancies in the Senate, the State Legislatures may fill them until the next Meeting of the Senate: Provided, that the Person elected shall have the Qualifications requisite for Senators.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been seven Years a Citizen of the United States, and who, when elected, shall not, when he is elected, have been seven Years a Citizen of the United States.

The Vice President of the United States shall be chosen by the Electors in each State, in Manner which they may direct, for four Years; and he shall have the Qualifications requisite for Senators.

No Person shall be Vice President who shall not have attained to the Age of thirty Years, and been seven Years a Citizen of the United States, and who, when elected, shall not, when he is elected, have been seven Years a Citizen of the United States.

Section 4. The President of the United States shall be elected by the Electors in each State, in Manner which they may direct, for four Years; and he shall have the Qualifications requisite for Senators.

No Person shall be President who shall not have attained to the Age of thirty five Years, and been fourteen Years a Citizen of the United States, and who, when elected, shall not, when he is elected, have been fourteen Years a Citizen of the United States.

Section 5. The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of Honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable to Civil and Criminal Prosecution, Trial, Judgment and Punishment, according to Law.

Section 6. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof: but the Congress may at any time by Law make or alter such Regulations, except as to the Places of Elections, which shall be fixed by Law.

The Congress shall assemble at least once in every Year, on the first Monday of December, unless they shall by Law appoint a different Day.

Section 7. Each House shall be the Judge of the Elections, Returns and Qualifications of its Members: and a Majority of each shall constitute a Quorum to do Business, but a smaller Number may adjourn from day to day, and may be authorized to fill Vacancies among themselves, and under such Rules as each House may prescribe.

Each House may determine the Rules of its Proceedings, and the Rules of the Senate and House of Representatives shall be the same, unless otherwise provided by Law.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, except such Parts as may in their Judgment require Secrecy: and the Yeas and Nays of the Members of each House shall be entered on the Journal.

Neither House during the Session of Congress, shall, without the Consent of the other, adjourn for more than three Days, nor to any other Place than that in which the two Houses shall be sitting.

Section 8. The Congress and Representatives shall have certain Powers, which shall be enumerated by the President and paid out of the Treasury of the United States. They shall in all Cases, except Cases arising under this Constitution, or under the Laws of the United States, or under Treaties made under the Authority of the United States, have the right to question in any Court.

No Senator, or Representative, shall, during the Term for which he was elected, be appointed to any civil Office of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such Term: and no Person holding any Office of Profit under the United States, shall be a Senator of the United States during his Continuance in Office.

Section 9. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 10. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 11. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 12. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 13. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 14. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 15. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 16. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 17. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 18. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 19. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 20. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 21. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 22. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 23. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 24. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

Section 25. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as to the Matter of the same: and no Bill which shall have been passed by the House of Representatives shall become a Law, unless it has first passed the Senate: and if the Senate disapprove of the Bill, it may pass a Resolution to that Effect.

ROOSEVELT and the CONSTITUTION

POST-DISPATCH BUREAU.

WASHINGTON, Oct. 17.

ONE of the most noteworthy things about the campaign is President Roosevelt's silence about the Constitution. He occasionally pays homage to that document in general terms in his speeches, but up to this time he has said nothing about the great constitutional issue which he raised so dramatically in his famous "horse and buggy" press conference in May, 1935.

At that time, discussing the Supreme Court's unanimous decision invalidating the National Industrial Recovery Act—the heart, as he put it, of the New Deal—he said the implications of the decision made it much more important than any decision since the historic Dred Scott case. He developed this thought in a long oral statement to a point where he said the decision brought the country squarely to "the big issue"—the question does the Government of the United States have no control over any national economic problem? If the country accepted the court's view of the Constitution on this point, he said it went back automatically to the Government of 1789, and repeated for emphasis that the country was facing a "great national non-partisan issue" which it would have to decide one way or the other.

Defining the issue in other words, he asked whether the country was going to "relegate" to the 48 States the practical control over economic conditions and control over working conditions; or, whether, in some way, we were going to attain for the Federal Government, or "restore" to it, the power which he pointed out was vested in the national governments of all other nations, the power, that is, to make and administer laws having a bearing on control of national economic and social problems.

He declared that question to be the biggest that had come before the country outside of war time and one that had to be decided.

Mr. Roosevelt not only says nothing in his campaign speeches about this issue to which he attached transcendent importance only a little more than a year ago, but it is impossible to get any expression from him on it in any other way.

When in Washington the President customarily holds two press conferences a week for the purpose of enlightening the press on public affairs and the administration's policies and programs. However, he responds only to such questions as he cares to, thus controlling the field of interrogation. And up to this time the White House secretaries have declined to submit any written question touching the Constitution.

Inaugural Address

Of March 4, 1933.

For an educated man and a lawyer, Mr. Roosevelt has shown in his public utterances prior to the campaign a strange lack of comprehension of the Constitution.

In his inaugural address March 4, 1933, Mr. Roosevelt said:

"The way we get things done under our form of government is through joint action by the President and the Congress. The two branches of government must co-operate. Our Constitution is so simple and practical that it is possible always to meet extraordinary needs by changes

in emphasis and arrangement without loss of essential form.

"It is to be hoped that normal balance of executive and legislative authority may be wholly adequate to meet the unprecedented task before us. But it may be that an unprecedented demand and need for undelayed action may call for temporary departure from the normal balance of public procedure. I am prepared under my constitutional duty to recommend the measures that a stricken nation in the midst of a stricken world may require. These measures, or such other measures as the Congress may build out of its experience and wisdom, I shall seek, within my constitutional authority, to bring to speedy adoption. But in the event that the Congress shall fail to take one of these courses, and in the event that the national emergency is still critical, I shall not evade the clear course of duty that will then confront me. I shall ask Congress for the one remaining instrument to meet the crisis—broad executive power to wage a war against the emergency, as great as the power that would be given to me if we were in fact invaded by a foreign foe."

Facts of Constitution

That Contradict Him.

One wonders whether he could have said these things if he realized the following established facts:

First, the war powers of Congress may not be exercised except in time of war, and war does not exist until Congress so declares, nor may sophistry be employed to write a purpose-serving definition of war. The courts have defined war as the "extraordinary contention by force between some of the members of two nations authorized by the legitimate powers," etc.

Second, a state of war does not enlarge the powers of the President and Congress may not delegate any of its powers to him even in the greatest national emergency. As Commander-in-Chief, yes, he may exercise all the powers of might in the field and against the enemy, but in so doing he may not trespass on a single constitutional right of a citizen.

Third, the vast war powers of Congress, embracing though they are, may be exercised only in conformity with the other provisions of the Constitution. For example, property may not be taken except by due process, with just compensations, etc.

A historical illustration of this is afforded by the Emancipation Proclamation. Lincoln had the power (of might) and might have instructed his generals to free slaves wherever the troops came upon them or to proclaim their freedom in territory occupied by Union forces. But he did not do this. Instead, he issued a warning (September, 1862) that at the end of 90 days, or Jan. 1, 1863, all slaves held in States that were in insurrection would be declared free. In December, 1862, the Congress passed a joint resolution authorizing and approving the prospective proclamation. The proclamation itself was, therefore, an exercise of the war-making powers of Congress which undoubtedly included the power to disarm the enemy. The Proclamation was calculated to weaken the enemy by the confiscation of his property. Owing to the nature of the property and

other circumstances, the only way to make confiscation effective was by freeing the Negroes.

The N R A, Roosevelt And the Bill of Rights

As to the NRA, in an address following the passage of the act, Mr. Roosevelt said:

"And now to be more specific in regard to the NRA itself you have set up representative government in industry. You are carrying it on without violation of the constitutional or parliamentary system to which the United States has been accustomed."

This statement did not admit the slightest doubt of the constitutionality of the act. The subsequent unanimous decision of the Supreme Court invalidating it is sufficient comment.

In a later address on the same subject, he said:

"Answer this question out of the facts of your own life. Have you lost any of your rights or liberties or constitutional freedom of action and choice? Turn to the Bill of Rights of the Constitution which I have solemnly sworn to maintain and under which your freedom rests secure. Read each provision of that Bill of Rights and ask yourself whether you personally have suffered the impairment of a single jot of these great assurances."

The tailor who was imprisoned in New Jersey, if he turned to the Bill of Rights, would find that he had been deprived of both liberty and property by a provision of the NIRA, in contravention of Article I of the Bill of Rights, and incorporated in a state law in violation of the Fourteenth Amendment, which is the citizen's shield against State trespass on his property rights as the Fifth is against Federal encroachment.

In December, 1935, President Roosevelt said at Chicago:

"To those days (of low prices, etc.) I trust the organized power of the nation has put an end forever. I say the organized power of the nation advisedly, for you and I who still believe in our republican form of constitutional government know that 48 separate States, acting each one as a separate unit, never were able and never will be able to legislate or to administer individual laws adequately to balance the agricultural life of a nation so greatly dependent on nationally grown crops of many kinds."

That is to say, because of the undisputed fact that the States are incapable of meeting a certain national situation there MUST BE power in the Federal Government to meet it. This ignores the controlling element of the Constitution—limitation on the power of the central government.

As Justice Roberts pointed out in the decision invalidating the AAA:

"The question is not what power the Federal Government ought to have but what powers have in fact been given by the people. It hardly seems necessary to reiterate that ours is a dual form of government; that in every State there are two governments—the State and the United States. Each State has all governmental powers save such as the people, by their Constitution, have conferred upon the United States, denied to the States, or reserved to themselves. The Federal

FOREWORD

The Democratic platform on which President Roosevelt ran for his second term pledged the candidates to seek a "clarifying amendment" to the Constitution if the New Deal could not be legalized otherwise. The most important question before the country was, how was the President going to carry out his promise to bring about the "more abundant life" since the acts which Congress passed for that purpose in his first term had been held by the Supreme Court to be unconstitutional. It will be recalled that he consistently refrained from discussing this question in the campaign.

The President took the country by surprise when he sent his message to Congress on Feb. 5 proposing reorganization of the Federal judiciary. His stated purpose was to expedite justice and reduce its cost to poor litigants. But examination of the accompanying bill showed the principal provision, one which startled the country when it was realized, to be the appointment of an

additional Federal judge whenever a sitting member reached the age of 70 and did not retire or resign. It was at once seen that this would permit Mr. Roosevelt to appoint six new Justices to the Supreme Court and virtually remake that tribunal.

The President and defenders of the proposal for a short time attempted to keep up the appearance of wanting to speed up justice, but were soon compelled to admit the true purpose, which was to bring about validation of the New Deal by changing the Court instead of changing the Constitution. The Post-Dispatch at once declared this would be packing the Court; that it would destroy the principle of checks and balances separating the functions of the three co-ordinate branches of government—legislative, executive, judicial—upon which the Constitution is based.

This analysis of the situation and the conclusion reached were fully developed in the articles and editorials which are reprinted in this supplement.

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President's Statements Show Strange Misconception of Country's Basic Law — He Seems Not to Realize Federal Government's Powers Are Strictly Limited

Union is a government of delegated powers. It has only such as are expressly conferred upon it and such as are reasonably to be implied from those granted. In this respect we differ radically from nations where all legislative power, without restriction or limitation, is vested in a parliament or other legislative body subject to no restriction except the discretion of its members."

Price-Fixing; Roosevelt Theory and the Law.

In an address in May, 1935, the President said:

"When we came to Washington we were faced with three possible programs. The first involved price-fixing by government decree. This was discarded because the problem of overproduction was not solved thereby."

Obviously, he had no doubt of the power to do so. But, of course, the Federal Government has no power to fix prices on a scale that would constitute a national program, whatever its meager authority may be to affect prices as an incident to the exercise of some express power. The guarantees of property rights in the Fifth Amendment prevent it.

Mr. Roosevelt's address to the press following the Supreme Court decision invalidating the NRA was replete with evidences of his misconception of the Constitution. The most extraordinary of these was his astonishment that the Court had prevented the Government from exercising powers which are commonly used by other governments. "We are the only nation that has to solve that question and we have been relegated to the horse and buggy age," he said. A few other quotations will suffice to show that he was laboring under the fallacious notion that the power of the central government is unlimited, when the contrary is true. The Constitution sets up very definite boundaries for the purpose of confining the Federal Government to those activities which were deemed essential to enable the sovereign States to exist collectively as a nation.

Chief Justice Hughes' Words.

On this point Chief Justice Hughes has written in his course of lectures published under the title "The Supreme Court of the United States, Its Foundation, Methods and Achievements—An Interpretation":

"The proposed Federal Government was of necessity, in view of the existence of the States and of the sentiment which supported them as autonomous within their spheres, to be of limited powers. To establish such a government was the purpose of a written Constitution . . .

"Thus, in the most natural way, as the result of the creation of Federal law under a written Constitution conferring limited powers, the Supreme Court of the United States came into being with its unique function. . . .

"The Supreme Court . . . is distinctly American in conception and function, and owes little to prior judicial institutions. . . . In considering the historical background of the court it does not aid much to review experiences in other lands."

On Doing Indirectly

What Can't Be Done Directly.

Among other things which Mr. Roosevelt said at the "horse and buggy" press conference were the following:

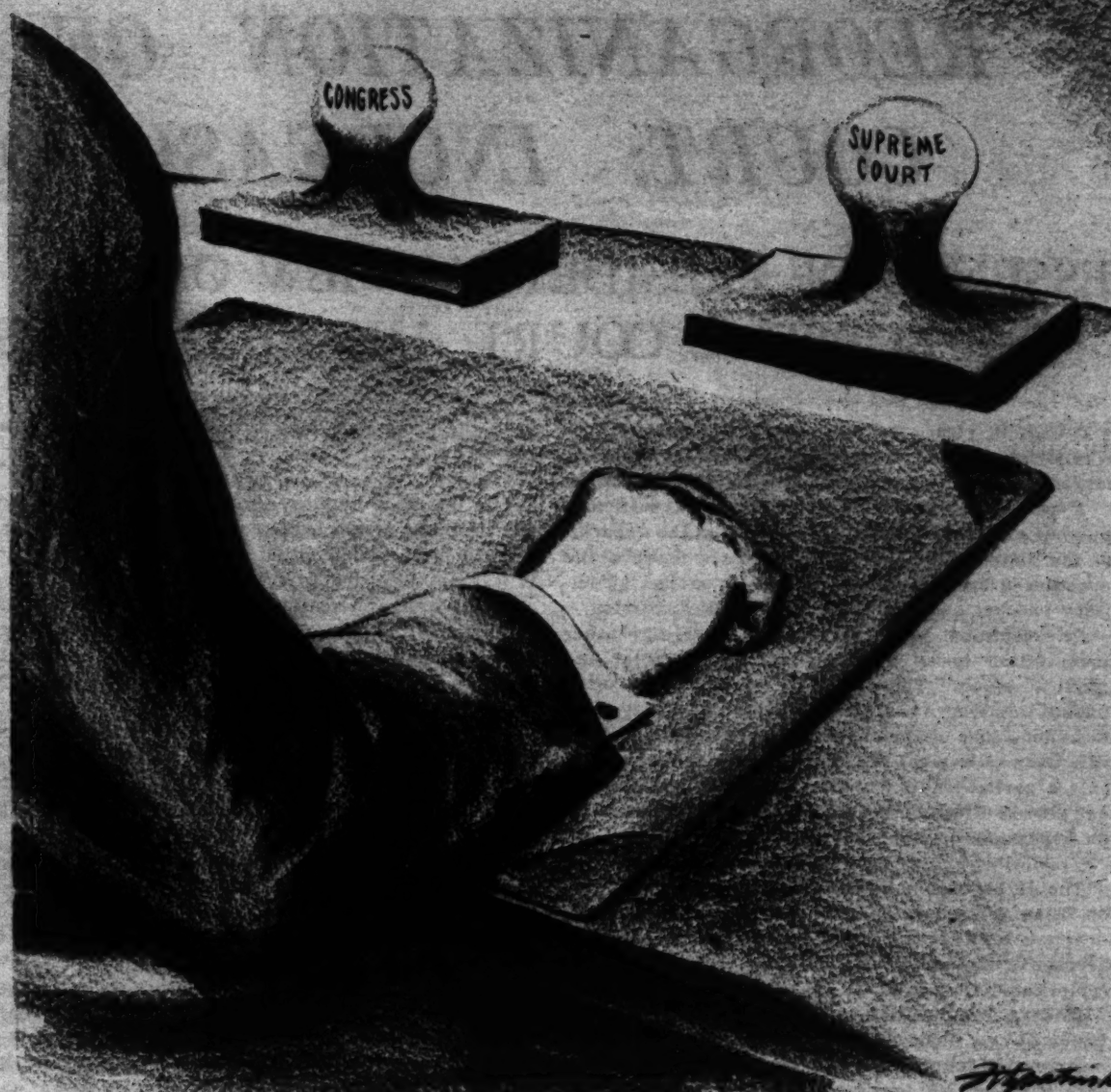
Does the Government of the United States have no control over any national economic problems?

If we accept the point of view that under the Constitution the United States cannot deal with matters left wholly to the States we go back automatically to the Government of 1789.

The hope has been that we could interpret the interstate commerce clause in the light of new things; that under the commerce clause a harmful practice in one section of the country could be prevented from doing harm in another section.

That is to say because the purpose is worthy the

ANOTHER RUBBER STAMP



(From the Post-Dispatch of February 7, 1937.)

central government might do by indirection what the Constitution prevents its doing directly.

In other words, he was saying Congress could twist the meaning of the word "commerce" to enlarge its own restricted constitutional powers.

This, of course, cannot be done.

President, the Court and The Guffey Coal Act.

In the words of Chief Justice Hughes in his opinion in the decision invalidating the Guffey-Snyder Coal Act:

"If the people desire to give Congress the power to regulate industries within the State, and the relations of employers and employees in those industries, they are at liberty to declare their will in the appropriate manner, but it is not for the court to amend the Constitution by judicial decree."

Mr. Roosevelt further said:

Then this interesting language (the court's) told how extraordinary conditions do not create or enlarge power. Some of us are old enough to remember World War days. The Legislation passed in April, May and June, 1917—that legislation was never brought before the Supreme Court. Of course, as a matter of fact, a great deal of that legislation was far more violative of the strict interpretation of the Supreme Court than any legislation passed since 1933. It is a very interesting statement.

Here he shows again his belief that extraordinary requirements justify the assumption and exercise of commensurate powers regardless of constitutional limitations. He also seems to rely for justification upon the assumption that some of the war-time legislation was unconstitutional—a weird precedent to follow.

It cannot be denied that unconstitutional legislation has been passed from time to time, nor can it be doubted that some such acts due to "infirmities of procedure," may even be safe from attack; but no

responsible person has yet advocated wilful violation of the Constitution by the Congress and the President, however great the emergency and temptation.

The closest approach to this was Mr. Roosevelt's letter urging a House committee to pass the Guffey coal bill regardless of any doubts they might have about its constitutionality.

So much for the President's attitude toward the Constitution through the first two years of his administration or up to the time the Supreme Court held the NRA to be invalid.

A Change of Attitude But Still No Explanation.

A year later, however, after the court had knocked out one New Deal statute after another with the cumulative effect of repealing the whole Rooseveltian conception of the governmental system of which he was the head, he made a statement which seemed to show a wavering from his previous cocksureness as to Federal power.

In a press conference, June 2, 1936, he said in answer to questions that the Supreme Court decision invalidating the New York State minimum wage law for women more clearly defined a "no-man's land" in which neither the States nor the Federal Government could function. There he stopped and refused to answer further questions which came readily to the minds of the assembled correspondents.

The most obvious of these concerned the glaring conflict between this view of the Constitution and the one expressed in his inaugural address, "our Constitution is so simple and practical that it is possible always to meet extraordinary needs by changes in emphasis and arrangement."

An equally pertinent question today would be how does the President purpose carrying on the New Deal in his second administration, which he is promising to do in his campaign speeches, in view of the fact that the statutes passed to enact it in his first term have been outlawed by the Supreme Court, the highest authority in the land.

LOUIS, FRIDAY, FEBRUARY 5, 1937—40 PAGES

PRICE 3 CENTS

ROOSEVELT ASKS FOR RADICAL REORGANIZATION OF SUPREME COURT; INCREASE OF JUSTICES

ESSENCE OF PRESIDENT'S VIEW OF SUPREME COURT; HIS REASONING

(Excerpts from Roosevelt's message to Congress, reprinted from the Post-Dispatch of February 5, 1937.)

IT SEEMS clear, therefore, that the necessity of relieving present congestion extends to the enlargement of the capacity of all the Federal courts.

A part of the problem of obtaining a sufficient number of Judges to dispose of cases is the capacity of the Judges themselves. This brings forward the question of aged or infirm Judges—a subject of delicacy and yet one which requires frank discussion.

In exceptional cases, of course, Judges, like other men, retain to an advanced age full mental and physical vigor. Those not so fortunate are often unable to perceive their own infirmities. "They seem to be tenacious of the appearance of adequacy." The voluntary retirement law of 1869 provided therefore, only a partial solution. That law, still in force, has not proved effective in inducing aged Judges to retire on a pension.

The duties of a Judge involves more than presiding or listening to testimony or arguments. It is well to remember that the mass of details involved in the average of law cases today is vastly greater and more complicated than even 20 years ago.

Modern complexities call also for a constant infusion of new blood in the courts, just as it is needed in executive functions of the government and in private business. A lowered mental or physical vigor leads men to avoid an examination of complicated and changed conditions. Little by little, new facts become blurred through old glasses fitted, as it were, for the needs of another generation; older men, assuming that the scene is the same as it was in the past, cease to explore or inquire into the present or the future.

We have recognized this truth in the civil service of the nation and of many states by compelling retirement on pay at the age of 70. We have recognized

it in the army and navy by retiring officers at the age of 64.

Life tenure of Judges, assured by the Constitution, was designed to place the courts beyond temptations or influences which might impair their judgments: It was not intended to create a static judiciary. A constant and systematic addition of younger blood will vitalize the courts and better equip them to recognize and apply the essential concepts of justice in the light of the needs and the facts of an ever-changing world.

It is obvious, therefore, from both reason and experience, that some provision must be adopted, which will operate automatically to supplement the work of older Judges and accelerate the work of the court.

I, therefore, earnestly recommend that the necessity of an increase in the number of Judges be supplied by legislation providing for the appointment of additional Judges in all Federal courts, without exception, where there are incumbent Judges of retirement age who do not choose to retire or to resign. If an elder Judge is not in fact incapacitated, only good can come from the presence of an additional Judge in the crowded state of the dockets; if the capacity of an elder Judge is in fact impaired, the appointment of an additional Judge is indispensable. This seems to be a truth which cannot be contradicted.

... If these measures achieve their aim, we may be relieved of the necessity of considering any fundamental changes in the powers of the courts or the Constitution of our Government—changes which involve consequences so far-reaching as to cause uncertainty as to the wisdom of such course.

EASY WAY FOR PRESIDENT TO GET FRIENDLY COURT

Proposed Changes Would Give Opportunity to Have Justices Who Agreed With Views of Executive.

(From the Post-Dispatch of February 5, 1937.)

ANALYSIS of President Roosevelt's proposal for revamping the Supreme Court makes it obvious that it would give the President a double-barreled opportunity for getting a court that would agree with his views.

First, in the case of a Justice having views acceptable to the President who remained on the bench after reaching the retirement age of 70: Here the President by appointing another Justice of similar views would reinforce his strength, getting two votes where there was only one before.

Second, in the case of a Justice having views not acceptable to the President who declined to resign on reaching the retirement age: Here by appointing a new member having views known to be accept-

able to the President the adverse vote of the old member would be canceled.

There have been instances in the past where Justices appointed to fill vacancies have failed to lean in the direction the appointing President obviously expected them to, and, of course, the President holds no compulsion over a Justice after he takes office. Seemingly the Roosevelt plan reduces to the minimum the possibility of failure in a presidential attempt to constitute the court to his liking.

The Constitution makes a Justice secure in his office during life or good behavior, so that Congress has no power to compel retirement at 70 or any other age. And of course the President has no power of removal. This plan, however, would enable the President

to a great extent to supplant, or at least nullify the influence of, a Justice whose vote in the decision of important cases might be contrary to the wishes of the President, or to reinforce the influence of an "approved" Justice.

Seemingly the plan is based on the theory that a Justice past 70 years old is no longer capable of fully performing the duties of his office and that a supplementary member of the court is needed to help keep up with the work. In the court as now constituted six members are past the retirement age. These are Chief Justice Hughes and Justices Brandeis, Van Devanter, McReynolds, Sutherland and Butler. Thus under the plan proposed, the President would immediately have the appointment of

PROPOSES BILL FOR MAXIMUM OF 15 MEMBERS IN THE TRIBUNAL

In Surprise Message, Recommends That Congress Authorize Him to Name New Judge Whenever Sitting Member Does Not Retire at 70.

ALSO OFFERS PLAN FOR QUICK RULINGS

Would Forbid Promulgation of Any Decision on Constitution Without Notice to Attorney-General With Appeal at Once to Highest Bench.

Post-Dispatch Bureau, 201-205 Kellogg Bldg.

WASHINGTON, Feb. 5.—A revolutionary reorganization of the structure of the judicial branch of the Federal Government, including novel and radical reconstitution of the United States Supreme Court, was recommended to Congress by President Roosevelt today.

The most important proposal called for the injection of "new blood" in the court through legislation making it mandatory for the President to appoint an additional Justice whenever any member over 70 years of age declines to resign or retire. The maximum of membership on the Court, however, would be 15. It is now 9.

At this time six members—Chief Justice Hughes and Justices Van Devanter, McReynolds, Brandeis, Sutherland and Butler—are past 70. If the President's bill becomes a law and none of these resigns or retires, Mr. Roosevelt would appoint six additional Justices, increasing the court to the maximum set by his proposal.

Roosevelt's proposal was considered in Congress in 1869 when the voluntary retirement law was passed. The idea was accepted in the House but beaten in the Senate.

His Law Unsatisfactory. In his message the President declared the existing law "unsatisfactory."

(Facsimile from part of front page of the Post-Dispatch of February 5, 1937.)

THE studied cleverness presented to Congress the Supreme Court of the tactics expected of a type than of the kind of the great office of the great office of the country a statesmanship.

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Editorials—

IT'S CLEVER, BUT—

(From the Post-Dispatch of Feb. 9, 1937.)

THE studied cleverness with which Mr. Roosevelt presented to Congress his proposal to pack the Supreme Court of the United States smacks more of the tactics expected of political leaders of the Tammany type than of the kind of behavior befitting the holder of the great office of President. From that individual, the country should have direct and courageous statesmanship.

Mr. Roosevelt wrapped up his revolutionary plan for gutting the independence of the judiciary in the most transparent tissue. Why did he do this? Why did he attempt to mislead the people as to his real motive by cloaking it in a proposal to relieve overburdened Judges of work, to make the judicial system function more efficiently and to accomplish other things which, of themselves, have the appearance of merit?

The proposal to make a rubber stamp out of the Supreme Court under the guise of reorganizing the judiciary, came at a time when the President was supposed to be at his political apogee. His immense popularity was demonstrated at the polls last November. Only a few short weeks ago, before cheering crowds that patiently endured inclement weather, he delivered his second inaugural address after placing his hand upon an old Dutch family Bible and repeating the solemn words of the oath of office.

All of the circumstances of the President's political position seemingly combine to make easier a direct approach to the great constitutional problems that are being discussed in the country. Yet Mr. Roosevelt cast aside the honorable alternative of proposing a constitutional amendment in favor of the desperate and dangerous expedient of packing the court, disguising it as a reorganization plan. Does this not indicate a disturbing defect in character?

Mr. Roosevelt has frequently given evidence of his passion for doing clever, unexpected and dramatic things. But this time, he has outsmarted himself, for the more his reorganization plan is examined, the more clearly is it revealed as a sham.

It is based in large measure on the assumption

that men over 70 are do-dones who should be replaced or supplied with coadjutors to do their work for them, but, apparently as a concession to the images this assumption conjures up of such men as Oliver Wendell Holmes and Justice Brandeis, the President hastily disclaims his own assumption. He admits the possibility that there exist "elder Judges" who are not "in fact incapacitated."

But if we accept the President's assumption, the fact remains that his plan would permit the appointment of men 69 years old, and these men could remain on the bench for 10 years, until they were 79, before it would be possible to appoint "coadjutors" for them.

Again, the President, as an argument for his plan, complains that the Supreme Court, in the last fiscal year, declined to review 717 of 867 cases presented to it, or 87 per cent. Waiving the point that many of these petitions are frivolous and that the law in the case of many of them is so well-established that it is not worth restating, as pointed out by Solicitor-General Reed, the President evidently wishes the Supreme Court to hear more cases in the interest of "full justice." So we have him, on the one hand, undertaking to lighten the burden of Judges and, on the other hand, suggesting their work be increased. Presumably, the job of hearing all the cases submitted to the court would require, not 15 Justices, but 30, 60 or 100.

What will the size of the court be under the President's plan? No one knows. Lawyers in general quail at the very idea of confronting a court of as many as 15 men, believing that number impossibly unwieldy when it comes to the business of making decisions. Felix Frankfurter is on record as saying: "Deliberation by the court is the very foundation of sound adjudication. . . . Experience is conclusive that to enlarge the size of the Supreme Court would be self-defeating."

But it is by no means certain that, under the President's plan, there would be 15. It would be possible for the court to remain at nine members, this

in event all six of the present members past 70 should resign. Where would that leave the President's argument that more Justices are needed?

So loose is the President's plan that it is impossible to forecast just how many Justices would hold Supreme Court seats (the membership could be increased by any number from one to six), and it admits of the undesirable possibility that the Justices might constitute an even number—10, 12 or 14—thus giving rise to potential deadlock. It would give rise to the question, in the case of conflicting lower court decisions on the validity of Federal statutes, whether even division would leave a law valid in one jurisdiction and invalid in another.

The point is also made that, while the President grounded his plan partly on consideration for poor litigants, he failed to recommend anything to reduce costs, so that suits would be just as costly after reorganization as they are now, with the possible saving that might be made by shortening the duration of litigation.

So, as these inconsistencies and loopholes and uncertainties are examined, the fact emerges with the greatest of clarity that what the President is undertaking to do is to rid himself of that part of the court which refuses to rubber-stamp the unconstitutional legislative proposals of the New Deal, though, of course, in order to validate NRA, keystones of the New Deal arch, he would have to pack the court with 10 new members who, would do his bidding. The obvious, immediate and certain effect would be to permit the President to name six new members—and that is the effect he is interested in.

We repeat that the President has outsmarted himself. He has been enmeshed in his own passion for cleverness. And even though his "reorganization plan" is rammed through Congress, destroying the independence of the judiciary and paving the way for a kind of dictatorship, it will not be without a new insight into the President's character that must give pause even to so loyal and devoted a following as is his.

THE RIGHTS OF MAN

(From the Post-Dispatch of Feb. 11, 1937.)

IT IS impossible to understand the full meaning of Mr. Roosevelt's attempt to destroy the independence of the judiciary, including the Supreme Court of the United States, without a knowledge of the all-important role the courts play in protecting the rights of man.

At the present time, this aspect of the President's revolutionary plan is obscured by the fact that the issues created by the New Deal, profoundly important as they are, do not touch most of the basic guarantees of the Bill of Rights. They are concerned with the ravages of the depression, with giving men jobs at reasonable pay, with staying off hunger, with providing social security for the working millions and, in general, with making the United States a better and finer country to live in. It is of course, futile to expect a man who has been out of work for a year and whose family is starving to let anything—including his political freedom—stand in the way of obtaining employment. Compared with the need for food and clothing and shelter, the civil rights of man may seem thoroughly academic and unimportant.

We can well understand the impatience of men desperate for the means of livelihood with a merely bookish point of view toward the rights of man. Mr. Roosevelt, however, has adopted means to clear up the debris of the depression by methods which transgress the organic law of the land, and that have brought him afoul of the Supreme Court. It should be crystal-clear that the sincere opposition to Mr. Roosevelt is on questions of method, not of objective.

But it has not always been the case that the problems confronting government have been of the emergency character arising from a long and deep depression. It will not be so in this country for very much longer, let us hope. In the early days of our Republic, for instance, political liberty and human freedom were the foremost problems. Going further back, they were the foremost problems in England in the days of the bloody Jeffreys and other political Judges who polluted the ermine of their office. They

may be America's foremost problems in the uncharted days to come.

What are the rights of man, for whose protection the citizens have often had to appeal to the courts because they were the only place of refuge left, because those rights were trampled by King and President and by Parliament and Congress?

Let us state them in the simplest possible terms, for, although they are of the very heart of our American tradition, common acceptance sometimes dulls their import. We have these rights. We exercise them every day. It is difficult for some of us to conceive what life would be without them.

The right of free speech and free press. That means the right of the Post-Dispatch to publish this editorial and the right of its readers to discuss it without fear of being overheard by a spy or a snooper and being thrown into jail. This right is gone in many countries. In numerous parts of Europe, citizens go into their homes, draw the blinds and speak in whispers. They live in an atmosphere of perpetual fear.

The right to worship, which includes the right not to worship. We are free to go into any church we please in this country or to found a church if we please. To many of us, this is the most sacred right of all.

The right to assemble. This means the right to hold meetings in public places to talk over affairs of government or anything else, without having the Cossacks ride us down.

The right to petition the Government for a redress of grievances. American citizens had to fight to win this right. It was established for them by the magnificent campaign of John Quincy Adams when he sat in the House of Representatives. Any citizen who feels he has been wronged can present his case to public officials, from the President down.

The right of being secure in one's home. A man's home is his castle. His person, his papers, his effects are secure from unreasonable search and seizure. No

warrant to go into a man's home may be issued but upon probable cause. Many men have died, many men have gone to prison, in defense of this right. It is forged in the blood and tears of a thousand years' experience.

The right of single jeopardy. No man, once acquitted of an offense, can be tried again. No man may be compelled to testify against himself.

The right of private property. Government cannot take private property for public use without just compensation.

The right of speedy trial. No man accused of crime may be forced to languish in jail, as millions of men have done in the dark past, once he asks for trial. The trial must be public. The accused must be confronted with his accusers. He has the right to summon witnesses in his own defense. He has the right to be represented by counsel. He has the right to demand trial by a jury of his peers. If a man is convicted, excessive bail may not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

All of these rights have been wrung from the tenacious hands of tyranny.

Now, all these precious and vital guarantees depend for their effectiveness upon an independent and a fearless judiciary. This has been demonstrated so many times that it is not necessary to labor the point. It is only necessary to show, as has been abundantly demonstrated in Europe in this age of dictatorships, that dictators cannot function without a subservient judiciary and without robbing the people of their elementary rights.

As was well stated by Mr. Borah in a recent speech, "the political side of the governments do not, and, in the nature of things, cannot, guard the personal liberty and individual rights of citizens with that degree of vigilance which free citizens are en-

(Continued on Page 9.)

Consistency With His Public Statements Left Him No Course but to Attack It

PRESIDENT ROOSEVELT and the SUPREME COURT

From the First He Insisted the Great Powers He Wanted Were Constitutional

Post-Dispatch Bureau,
301-305 Kellogg Bldg.
WASHINGTON, Feb. 13.

"Our constitution is so simple and practical that it is possible always, to meet extraordinary needs by changes in emphasis and arrangement without loss of essential form."

With this confident slogan nailed to the mast as a battle pennant, Franklin Delano Roosevelt, late of the navy, buoyantly set out on uncharted seas to find the port of the more abundant life. Misgivings and doubts of others as to the soundness of his slogan were met with a "damn the torpedoes, go ahead" attitude and more haste at Washington.

A review of the events which have tumbled one upon another since that day in March, 1933, when Mr. Roosevelt in his first inaugural proclaimed his view of the Constitution leads to the conclusion that the most sensational act of his brilliant and spectacular career—his proposal now before the country to reconstitute the Supreme Court—was the inescapable result of his first step; that having committed himself publicly and repeatedly for four years to the proposition that where there was a will in the Federal Government there was a way in the Constitution in terms that admitted of no later modification, and having turned his disagreement with the Supreme Court into a bitter personal feud against that tribunal, graceful retreat was impossible.

Break With the Court Only Way to Validate New Deal.

In this view, breaking the court was the only way to put the New Deal legislation on the statute books. He had closed the road to amendment of the Constitution.

Washington, of course, is seething with speculation as to the outcome. Political opinion is in general agreement on two points. First, if Congress fails Mr. Roosevelt, his presidential career, equalled in historic interest and importance thus far only by the great triumvirate, Washington, Jefferson, Lincoln, may end in a debacle unprecedented in the White House. Second, it is believed at this writing that he will not fail; his proposal will become law; he will control the Supreme Court through the rest of his administration, and his substitutes for the New Deal statutes which the present court held unconstitutional will be upheld by the new one, and he will retire from office (unless, unless there should be a third term) triumphant.

However, this expectation is based solely on faith in numbers—the President's overwhelming majorities in Congress which may enable him to rush his scheme through before the opposition can organize the popular revolt of which there already are visible signs throughout the country.

Statements Significant of What Was to Come.

As the stage is being set for congressional consideration of his startling proposal, with promise of a debate of historic proportions and qualities, the skirmishes of the last four years may be reviewed in the light of their new significance and without going into the merits of the controversy between the President and the court.

In a campaign speech at Baltimore in 1932, Mr. Roosevelt read from his prepared text these words: "After March 4, 1929, the Republican party was in complete control of all branches of the Government—the legislature, with the Senate and Congress and executive department"; then interpolated, "and I may add for full measure, to make it complete, the United States Supreme Court as well."

He spoke of the Constitution in his first inaugural address after having stated his purpose to take aggressive action to overcome the depression. He said:

"Our Constitution is so simple and practical that it is possible always to meet extraordinary needs by changes in emphasis and arrangement without loss of essential form."

Perhaps only he can say whether or not this was intended as notice to the country and the Supreme Court that he expected interpretation of constitutional powers to be adjusted to the prevailing view of emergency needs.

But clearer and more significant expressions of his

views were the following statements in the same address:

"It is to be hoped that the normal balance of executive and legislative authority may be wholly adequate to meet the unprecedented task before us. But it may be that an unprecedented demand and need for undelayed action may call for temporary departure from the normal balance of public procedure. I am prepared under my constitutional duty to recommend the measures that a stricken nation in the midst of a stricken world may require."

"But in the event that Congress shall fail to take one of these courses, and in the event that the national emergency is still critical, I shall not evade the clear course of duty that will then confront me. I shall ask Congress for the one remaining instrument to meet the crisis—broad executive power to wage a war against the emergency as great as the power that would be given to me if we were in fact invaded by a foreign foe."

NRA and the New Deal Hastily Shaped Into Law.

The response of Congress to the President's requests for executive power is history. New laws were enacted with amazing rapidity and the occasional lonely protests in the House or Senate that constitutional powers of the Federal Government were being exceeded went unheeded.

Enactment of the National Industrial Recovery Act creating the N. R. A. was hailed by Roosevelt as a high achievement. When he signed it on June 16, 1933, less than four months after taking office, he said:

"History probably will record the National Industrial Recovery Act as the most important and far reaching legislation ever enacted by the American Congress. It represents a supreme effort to stabilize for all time the many factors which make for the prosperity of the nation and the preservation of American standards."

Here was legislation setting-up administrative machinery to regulate virtually all industrial and commercial enterprises in the country for the New Deal purposes of increasing employment, reducing hours of work and increasing wages. It was the heart of the planned economy by which law undertook to assure to workers a larger share of their products and so create a "more abundant" life for the masses.

It was to bring "recovery" by the formula of more wages, to make more "purchasing power," to make more business, to make more employment, and still more wages.

For the farmers the Agricultural Adjustment Act was designed for similar purposes, with a much smaller radius of effect, and later, after the N. R. A. had been invalidated, the Guffey Coal Control Act was enacted as a means of attempting to apply N. R. A. principles to a single industry—soft coal mining.

Supreme Court Knockouts And Roosevelt's Reaction.

Everything went well for the first two years, or until May, 1935, when the Supreme Court held the N. R. A. to be unconstitutional for reasons to be noted later. To a less cocksure mariner this warning might have had the effect of a bell-buoy in a fog, but not with Mr. Roosevelt. He addressed the country through a special press conference now famous as the horse and buggy interview, in which he dissented in toto from the court's decision, and figuratively shook his fist at the nine Justices who had in that one ruling virtually pronounced the doom of the New Deal. As the President himself said, N. R. A. was its very heart. Here that vital organ had been cut out.

Although the court's opinion was unanimous, and two of the "liberal" Justices, so called, Cardozo and Stone, joined in a separate opinion stronger than that of the majority, and despite the fact that the nine Justices showed by citations that they were following a long-standing and often reiterated interpretation of the Constitution, the President refused to be convinced and declared the Court had relegated the country to the "horse and buggy" era.

The Post-Dispatch's report of the press conference included this statement of the President's view of the Constitution:

"Coming to New Deal legislation, the President said that the administration had hoped for an interpretation of the interstate commerce clause (of the Constitution) in the light of new conditions. He said that the thought was that a harmful practice in one section of the country had its effect in another section of the country. He said that was why Congress thought it could depend on an interpretation that would broaden the definition of interstate commerce; that was why there had been included in the N. R. A. provisions relating to direct and indirect effects on interstate commerce."

The powers which the Federal Government had sought to exercise in the N. R. A. were those which other governments possessed, the President said, and if our Federal Government did not have them it was the only national government in the world without power to legislate on national economic and social problems. He distinctly implied that the Constitution should be interpreted by the Supreme Court to concede these powers to the Federal Government. Otherwise the subjects were left to the 48 States, with resulting confusion.

It was the biggest question before the country outside of war times, he declared, and the issue whether the Government had power to deal with all matters which affected the whole country had, some day, to be settled.

In the N. R. A. decision the court held to its earlier definitions of interstate commerce, refusing to stretch the definition to take in the great mass of purely local activities simply because they might have some indirect effect on interstate commerce. Hence the N. R. A. in undertaking to regulate local business activities was outside the powers conferred on Congress by the interstate commerce clause of the Constitution. And when it could not do this—regulate wages in virtually all business and industry—there was no more N. R. A.

Further, the court held that the method set up under N. R. A. to regulate industry through the orders of boards and code authorities was an unlawful delegation of legislative power even had Congress itself possessed the regulatory power in the circumstances. Since in a matter of such vast detail Congress itself could not possibly pass laws for all situations, regulations by boards or commissions would be the only practical method, and the finding of invalidity in that respect became a vital weakness in the whole planned economy scheme. The separate opinion of Justice Cardozo and Stone spoke of the N. R. A. enforcement scheme as "delegation running riot."

A year before this sweeping decision, when N. R. A. was being administered by Gen. Johnson with the fervor of a crusade, President Roosevelt, in a speech to employers, had expressed unbounded confidence in the constitutionality of the law, saying:

"And now to be more specific in regard to N. R. A. itself, you have set up representative government in industry. You are carrying it on without violation of the constitutional or parliamentary system to which the United States has been accustomed."

Undeterred, He Pushed Guffey Coal Bill Through.

With the N. R. A. knockout fresh in the public mind, President Roosevelt urged Congress to enact the Guffey Coal Act, sometimes described as a "little N. R. A." for the coal mining industry. When the bill was before a committee of the House he wrote to a member of that committee:

"I hope that your committee will not permit doubts as to constitutionality, however reasonable, to block the suggested legislation."

The act was passed, and, as was widely expected, was held unconstitutional by the Supreme Court.

Meanwhile the court had held the Agricultural Adjustment Act to be unconstitutional, completing the nullification of the New Deal legislative program.

In the A. A. A. and Guffey Coal Acts it was asserted that the taxing power of the Federal Government gave authority for the regulations which those acts set up. In the A. A. A. case the Court held the Government could not do indirectly, through the taxing power, what it could not do directly. In both cases it held the so-called taxes were in reality nothing more than "exactions," and therefore invalid, and in

the Guffey case it a penalty to enforce

In a press interview to four decision by the New York State constitutional, the President, for example, said that clearly defined a "no" ment could function, eral Governments were

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Three Basic Proposals Back of New Deal.

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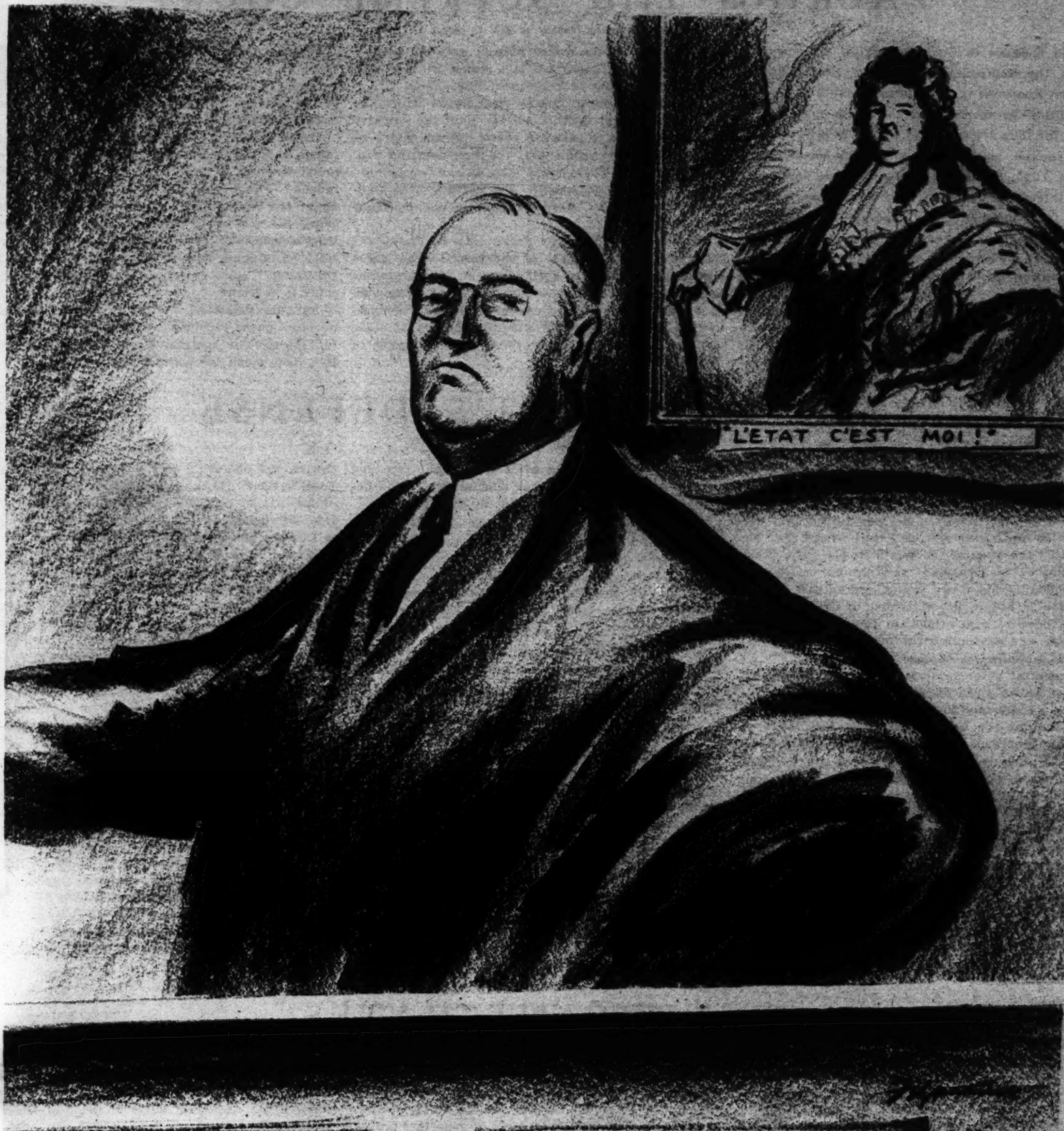
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"THE SUPREME COURT?—I AM THE SUPREME COURT"



the Guffey case it said the exaction was obviously
a penalty to enforce compliance with the regulations.

In a press interview last June, following the five-
to four decision by which the Supreme Court held
the New York State minimum wage law was uncon-
stitutional, the President, using that case as an
example, said that the majority of the court had
clearly defined a "no-man's-land" where no govern-
ment could function, where both the State and Fed-
eral Governments were prohibited from acting.

This was the first sign of wavering from the earlier
confident assertions that ways could be found under
the Constitution to meet the needs, but the President
declined to answer questions or amplify this seem-
ing change of attitude.

Three Basic Propositions Back of New Maneuver.

The Roosevelt philosophy of the Constitution, then,
as progressively revealed by his earlier acts and
statements, and now clarified by his latest proposal,
obviously was based on three propositions:

First, that emergency created by the economic de-
pression justified the exercise of any power necessary
to meet that extraordinary situation.

Second, the all inclusive power of sovereignty re-
sides in the Federal Government and may be exer-

cised at will in the wisdom of that Government.

Third, that although the Constitution limited and
conditioned this power in terms, the Supreme Court
could by "enlightened interpretation" free the Gov-
ernment from their hampering effects; specifically
that the commerce clause and the taxing power could
be stretched to validate all New Deal legislation as
an exercise of the express power of Congress to regu-
late commerce and to levy taxes.

With this philosophy the Supreme Court disagreed.

1936 Platform Silent; Appeal For "Redefinition."

The Democratic national platform of 1936 avoided
the constitutional issue. In the keynote address at
the convention, however, when the renomination of
President Roosevelt was a certainty, Senator Barkley
of Kentucky, discussing the Supreme Court decisions
against the New Deal laws, said:

"What we need is a new definition and a new inter-
pretation of interstate commerce."

In the last major address of his re-election cam-
paign President Roosevelt restated the economic and
social objectives of the New Deal and in a voice that
boomed from millions of radios echoed after each
item the ringing phrase, "We have just begun to
fight."

He came to his second inauguration last Jan. 20
riding the crest of national popularity that had given
him an unprecedented popular and electoral college
plurality. Behind him, however, lay the ruins of an
ambitious plan of reformation of economic and social
conditions, shattered on the rock of the Constitution.
It was fresh in the minds of the people, too, that
just before they went to the polls he had assured
them that he had "just begun to fight" for these
objectives.

There was intense interest in the question of how
he expected to reach the goal unless he proposed a
Constitutional amendment to confer on Congress and
the executive without doubt the powers that were
sought. He had given no hint of how he expected
to proceed, unless it could be read into his public
utterances about "interpretation" of the Constitution.

Not for Amendment But "Enlightened View."

There was his message to Congress last Jan. 5 in
which he discussed the Constitution and reached this
conclusion, which was a reiteration in different terms
of his consistent position throughout his first admin-
istration:

"The vital need is not an alteration of our funda-
(Continued on Page 9.)

Editorials—

PACKING THE SUPREME COURT

(From the Post-Dispatch of Feb. 7, 1937.)

IN HIS message to Congress asking for power to pack the Supreme Court of the United States, President Roosevelt is guilty of intellectual dishonesty and political hypocrisy, and the words need not be minced for they are sustained by the record.

We showed yesterday that the President, since May 30, 1935, the date of the celebrated horse-and-buggy interview, has been conducting open warfare against the Supreme Court, because of its refusal to rubber-stamp his unconstitutional proposals. The horse-and-buggy interview followed the court's unanimous decision knocking out N. R. A. keystone of the New Deal arch.

As short a time ago as Jan. 6, when the President addressed Congress, we find him reading a lecture to the Supreme Court and saying that "means must be found to adapt our legal forms and our judicial

interpretation to the actual present national needs." "Means must be found"—it is a phrase we may well ponder in the light of subsequent happenings.

Last Friday—approximately one month later—the President sprang upon Congress and the country his amazing plan to pack the court. Means had been found. Is it believable that the President, on Jan. 6, did not know that means were already at hand—in his pocket, so to speak? For certainly the elaborate plan before Congress cannot be an overnight product.

Why, then, the cryptic "Means must be found"? But that is only a phase of the thesis. The whole message is couched in such terms as to conceal the President's real motive, and to carry the pretension of a wholly disinterested desire to eliminate congestion, to relieve the entire Federal judiciary of some of its burdens and to lessen the costs of litigation to poor men.

Whence this sudden concern for the judiciary? Whence this rush of sympathy for overworked Judges? There has been a total lack of discussion of the subject in Congress since additional Federal Judgeships were created recently.

If the President believed the country could be taken in by so transparent a pretext for packing the court, he must believe the American people gullible indeed. The people know how the President feels about the court. They know how nettled he is because the court will not substitute his will for its legal conception of the Constitution. They know that what he is doing now is, under the guise of a "reorganization" plan, to work his will on the highest court in the land.

But the President, instead of frankly stating his purpose, chose to hide it. He chose to pretend that his objective is something else than his real objective. So much for intellectual dishonesty.

MR. ROOSEVELT'S DEFENSE

(From the Post-Dispatch of Feb. 14, 1937.)

AT FRIDAY'S press conference, Mr. Roosevelt, for the first time in his career, accepted the defensive on a major policy of his own making—the proposal to pack the Supreme Court. He was forced into this position by the rising tide of revolt whose roar has penetrated the walls of the White House. The President adopted the so-called "background" method of communicating his views, which means that the information is not to be attributed to the President; but, stripped of camouflage, in that conference Mr. Roosevelt was addressing the country.

Let us examine his defense.

The central point in it is that his revolutionary plan was drawn up in response to public opinion. In an effort to substantiate this thesis, he cites the fact that, following the N. R. A. decision of May, 1935, in which the Supreme Court unanimously knocked out what Mr. Roosevelt himself refers to as the heart of the New Deal program, thousands of letters were received at the White House urging him to act.

In response, Mr. Roosevelt secretly turned them over to Attorney-General Cummings and Solicitor-General Reed, who are, in effect, his attorneys, to discover whether the letters contained a workable program. By last spring—nearly a year ago—their work on the letters, we are now informed, began to take on definite form. It appeared to the attorneys that there were two courses open: (1) change the Constitution; (2) change the court.

The first was abandoned for two reasons, accord-

ing to the defense: Because it would take too long and because a constitutional amendment might not pass. So the President adopted the second plan.

How does the first reason appear in the light of recent history? Recent history shows that when the people really want to change the Constitution, they do it quickly. The repeal amendment was passed in less than 10 months. The lame-duck amendment was passed in less than 11 months. That leaves only the second reason—the amendment might not pass.

But how does the President's second reason square with his central point of defense, namely, that he was moved by public opinion? If he really wanted public opinion, why didn't he ask the whole public? His attorneys had reached their conclusion between the two courses months before the opening of the presidential campaign, which offered the perfect opportunity to sound public opinion. It is the primary function of presidential campaigns to lay great issues before the country for decision.

Here was the most important possible issue, but the President preserved complete silence on it throughout the campaign, smilingly resisting challenges to tell what was in his mind.

The facts compel the conclusion that the President did not take the public into his confidence for fear he would be overruled. But concealment did not stop there. He concealed the plan from the many members of Congress who are distinguished authori-

ties on the operation of the Supreme Court and the Constitution. He concealed it even from the members of his official council—the Cabinet—with the exception, of course, of Mr. Cummings. Only three men in the United States knew about it.

Why did the President impart his idea to Messrs. Cummings and Reed? That, too, is obvious. He did so because he had to. These two men were not advisers. They were technicians. It was their job to draft a bill embodying the mechanics of the President's plan, so that, when he sprang it on the country, the bill would be all ready, with every "i" dotted and every "t" crossed, on the theory that a subservient Congress would promptly affix the rubber stamp. Then the country would be confronted with what the diplomats call a "fait accompli." A "fait accompli" means an accomplished fact and, again to cite the usage of the diplomats, when that happens, there is nothing to do but sit back and take it.

So, as we get the bird's-eye view of the President's course, revealed by his defense, we find that he deliberately followed a course of concealment and that he sedulously avoided the test of public opinion, which he now speciously cites as the justification of his defense. We find, even more ominously, that the President followed the tactics of a despot and a dictator. It need not be added that the people want no despotism, however noble in purpose.

Thus does Mr. Roosevelt's defense crumble under analysis.

SIGNIFICANT DATES

(From the Post-Dispatch of March 2, 1937.)

IT WAS on May 27, 1935—21 months ago—that the Supreme Court, by unanimous vote, declared the National Recovery Act violated the Constitution. A few days later, President Roosevelt, in commenting on the decision at a press conference, declared that it set the country back to the days of the horse and buggy. That historic interview clearly raised the issue whether or not the Constitution should be amended to give the Federal Government the power which the President said it should have.

Nothing was said by the President to suggest that he had in mind the alternative scheme of seeking to gain his ends by remaking the Supreme Court.

The country assumed, as it had a right to assume from the President's language, that the issue boiled down to amendment or no amendment, and the debate in public forums over the land was carried on in those terms.

Supporters of the President went out of their way to denounce the idea that he might try to pack the Supreme Court. Typical of their expression was that of Senator Ashurst (now, by a remarkable flip-flop, an outstanding supporter of the court-packing scheme), who declared with a characteristic burst of rhetoric that "a more ridiculous, absurd and unjust criticism of a President was never made."

In June, 1936, came the 5-to-4 decision of the Supreme Court knocking down the New York State minimum wage law for women. That decision was followed by a press conference in which the President said, in effect, that the majority of the court had marked out a "No Man's Land," in which neither the

Federal Government nor the state governments could act for the curing of social and economic ills. Although the President did not use the words "constitutional amendment," the scores of reporters present received the impression that he believed the Constitution would have to be changed if his objectives of social reform were to be reached.

Again there was nothing to indicate that the issue was other than what the reporters, and the country, thought it was—a clean-cut issue of whether or not the basic law of the land should be altered in the prescribed manner.

A month later came the official pronouncement of the party, in the platform on which the President was renominated at Philadelphia, that if the ends sought by the New Deal could not be accomplished within the Constitution as now written, "clarifying amendment" would be sought. "Thus we propose," said the platform, "to maintain the letter and spirit of the Constitution."

That was the pledge, and the whole of it. There was nothing in the platform, nor in anything that the President said during the campaign, to give the impression that he would seek to gain his objectives by a wholesale packing of the court.

We are now told by the New York Times, in what is obviously an authorized statement of the President's views, that it was not till December, 1936, that he decided the amendment process was too slow.

It took Mr. Roosevelt a long time to reach that decision and the accompanying decision, announced a few weeks ago, to ask for a shortcut to his goal.

Mr. Roosevelt had his problem clearly before him from the day on which the Supreme Court knocked down N. R. A., the main pillar of the New Deal. The problem was accentuated in his mind by subsequent decisions, including, notably, that in the New York minimum wage case. During the whole period of the campaign and up through December, 1936, when the President at last made up his mind, there was not one decision of the Supreme Court to alter the situation: every decision adverse to the purposes of the New Deal had been rendered prior to the adoption of the Democratic platform and its acceptance by the President.

The situation with respect to the New Deal and the Supreme Court was exactly the same in December, 1936, as it was in June, 1936.

In June, 1936, before the election, the President was committed to the amendment process if the ends of the New Deal could be reached within the Constitution as it now stands.

In December, 1936, after the election, the President rejected the amendment idea and shortly thereafter offered his court-packing scheme, full-blown.

The essential difference in the situation is that in June, 1936, Mr. Roosevelt was a candidate for re-election and in December, 1936, he had been re-elected. No amount of apology can get around the plain fact that the platform promised a specific course of action which the President has now airily waved aside, in repudiation, as Senator George has said, of "those loyal Democrats who declared we would take no shortcut to attain our objectives."

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We do not sugges Mr. Roosevelt has a human freedom. To the height of absurd forging tools which, successor, could, an would, be used to de

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Editorial—

THE RIGHTS OF MAN

(Continued from Page 5.)

titled to enjoy and without which free government cannot exist."

Within recent weeks, we have seen how the courts become the last refuge of men who are otherwise defenseless. They were cited by Mr. Borah. In one case, three ignorant, illiterate, penniless Negroes, victims of mob passion and official cowardice, at last found safety and life in an order of the Supreme Court. In the other, a babbling fool, preaching destruction of the Constitution and the courts as the tools of capitalism, found liberty under the terms and by the very authority of the very things he would destroy.

Our early history teems with instances of men arrested without warrant, thrown into prison, denied habeas corpus writs and deprived of counsel because of criticism of acts of government. In such instances, as Mr. Borah shows, "the Supreme Court of the United States has, in the language of Madison, proved in every instance 'in a peculiar manner, the guardian of those rights.'"

It is thus with a historical perspective and a healthy regard for the future that we must view Mr. Roosevelt's plan to make the Supreme Court subservient to him. "It can't happen here," cry our optimists as they look at the rape of the rights of man in Europe. Yet if they look again, they see Fascism and its fruits spreading fast and dangerously, and it is idle to suppose that the United States can be totally safe from this world-wide, pervasive current of thought and action.

We do not suggest for a moment, of course, that Mr. Roosevelt has a diabolic interest in destroying human freedom. To make the suggestion would be the height of absurdity. What we do say is that he is forging tools which, in the hands of an unscrupulous successor, could, and history tells us very likely would, be used to destroy the rights of man.

The subject now before the American people transcends all considerations of Mr. Roosevelt's immediate objectives and of the loftiness of his intentions and of any possible economic or social benefits that might accrue from destroying the independence of the Supreme Court. It transcends party and personality. It goes to the very core of the most precious and sacred things for which our ancestors struggled through centuries of tyranny.

It is only in a fearless and independent judiciary that these things are secure.

Projected Route of the Three Horse Team



(From the Post-Dispatch of March 14, 1937.)

President Roosevelt and the Supreme Court

(Continued from Page 7.)

mental law (the Constitution) but an increasingly enlightened view with reference to it."

He went on to say that "means must be found to adapt our legal forms and our judicial interpretation to the actual present national needs," and that "the judicial branch also is asked by the people to do its part in making democracy successful." Some commentators bluntly called these statements a lecture to the Supreme Court.

What was in his mind concerning the court as for the second time he took the oath of office in which he swore to "preserve, protect and defend the Constitution of the United States," is not known to the public. In this dramatic moment the administering officer facing him was Charles Evans Hughes, Chief Justice of the United States.

Was the President's triumphant return to office an empty honor while his major policies lay in ruins? Did there weigh upon his mind a realization that unless he could revive and effect these policies his great victory might turn to defeat?

If he had ever thought that his policies might prevail through a new "interpretation" of the Constitution by the present Supreme Court he seemingly abandoned that view when less than a month later he boldly proposed the revolutionary plan of remodeling the court in a way that would immediately give him the appointment of six new Justices. But he

was absolutely in character in the drastic means he took to negate the court's action. It was "damn the torpedoes" over again.

But if the President wins and is able to place on the bench six new Justices of his own choice will he get what he wants?

Deeper Question Remains: Is Wagner Act Valid?

A deeper question than those so far passed on by the Supreme Court in deciding against New Deal laws remains to be considered as an ultimate test of constitutionality of this type of legislation. This question, which seemingly is a vital issue in the pending Wagner Labor Relations Act cases, is whether the New Deal laws, even if the commerce clause or the taxing power, or both, were stretched to embrace them, would violate other rights of citizens guaranteed by the Constitution.

Specifically, the New Deal acts had been questioned on the ground that they violated the provision of the fifth amendment that "no person shall be deprived of life, liberty or property without due process of law," by the Federal Government. (There is a similar prohibition against the states in the fourteenth amendment.)

It was not necessary to decide this question in the decisions thus far as they were based on other grounds, particularly that the subjects sought to be regulated and controlled were not in interstate com-

merce. Even if the interstate commerce clause were stretched to include them the other question still would have to be decided.

This question has been raised in the Wagner Act cases separate from other contentions, some of the litigants admitting they fall within the commerce clause jurisdiction but asserting their rights under the Fifth amendment are being violated. This contention is made, for instance, with reference to orders by Labor Relations boards, Government agencies, for employers to reinstate discharged employees and pay them in full for the time lost; this, it is asserted, destroys freedom of contract (a property right) by compelling an employer to enter into a contractual relation against his will, and also denies him the right of jury trial on the question of the wage claim, an alleged violation of the Seventh amendment.

Other Presidents sometimes have been disappointed with the decisions of Justices appointed because of particular views they were known or believed to hold.

The extent of public interest aroused by the President's proposal indicates that the debate in the Senate will marshal on one side or the other the best minds of that body; that the public again will have the rare privilege of seeing the veterans, Johnson, Glass and Borah, analyzing, expounding, fighting with all their eloquence and logic for their conception of constitutional government.

The Roosevelt Defense

Admits Purpose Is to
Affect Decisions —
Denies Method Is Packing

cases of large public interest," the report said.

There are 10 Circuit Courts of Appeals whose duties are to hear appeals from the District Courts, and when the Supreme Court rejects an application for review it is, in most cases, merely saying that it sees no reason to interfere with the judgment of the Circuit Court which has already heard the case on appeal.

If the Supreme Court had to hear all such cases, the St. Louis Bar Association resolution said, "it would spend its time largely in the work of passing upon disputed interpretations of fact, of interest to the litigants and to no one else, and in merely repetitious announcements of settled principles of law."

As to the possible addition of Judges, under the President's proposal, in the lower Federal courts wherever the amount of business indicates they are needed, the opposition has made no objection, but its view is quite different as to the Supreme Court, going so far as to assert that increase of the membership to 15 would make the court unwieldy and actually diminish its efficiency.

Small Business Man and "High Cost of Justice."

The second point in the argument of the Attorney-General was that the "high cost of justice" causes the small business man and the litigant of limited means to labor under "a constantly increasing disadvantage." He implied that this was due to "congestion," and the opposition answer on that point already has been stated.

Cost of litigation, it may be pointed out, consists principally of attorney's fees and court fees. These are largely determined by the amount of work involved in preparing a case for trial and the extent of the trial itself, and are not much affected by the interval between the filing of a suit and final disposition. There was no showing, the opposition has pointed out, in any of the propaganda supporting the President's scheme, of how the cost of litigation would be reduced by the retirement of judges at the age of 70 or the appointment of supplementary judges for those who failed to retire.

A third argument for the scheme by Cummings was based on earlier advocacy by "prominent jurists and lawyers" of what was described as a "similar measure." The men he named were Supreme Court Justice McReynolds, speaking when he was Attorney-General in 1913; Attorney-General Gregory in 1914, 1915 and 1916, and his Solicitor-General John W. Davis, said to have drafted legislation to carry out the proposal then advanced; and Chief Justice Charles Evans Hughes, quoted as having indorsed it in 1928, when he was Justice. Here the opposition was able to reveal Cummings as using a trick not uncommon in addressing juries. He made the useful word "similar" cover two totally different things.

That "similar measure," he referred to had nothing to do with the Supreme Court at all. It merely referred to a proposal which was adopted in 1919 whereby the President was authorized to appoint an additional Judge to assist any district or circuit Judge over 70 years old who was found to be unable to discharge efficiently the duties of his office by reason of mental or physical disability of permanent character.

The heart of the present scheme, as everyone knows by this time, is that provision which would enable the President to appoint a new Justice to the Supreme Court whenever an incumbent Justice failed to retire within six months after reaching the age of 70; and it is not doubted or questioned that the President's enthusiasm for this provision is based on the fortuitous circumstance that six of the nine Justices are in that class, and he would have the opportunity immediately to appoint six new members. There has been almost no objection voiced to the remainder of the Roosevelt proposals concerning the judiciary.

This (Supreme Court) scheme was proposed only once before in the history of the country—in 1869, when it was defeated by the Senate. It was not suggested in connection with any "similar measure" to which Cummings tied the names of the distinguished jurists and lawyers.

Question of Injunctions.

In the fourth place, Cummings argued that the scheme would in some way correct an evil resulting from issuance of injunctions by the Federal courts. He said "the powers of government are suspended

by the automatic issuance of injunctions commanding officers and agents to cease enforcing the laws of the United States until the weary round of litigation has run its course."

The opposition has made two answers to this. First, Congress itself has wide powers to regulate and limit jurisdiction of the courts to issue injunctions. Second, it does not oppose that part of the President's proposal providing that courts give notice to the Attorney-General of suits involving constitutionality of Federal laws and for direct, expeditious appeals to the Supreme Court in such cases.

The argument which the critics of Cummings and the President say cloaks the real purpose behind the scheme, the fifth point to be considered here, is his reference to the need of "new blood." The Attorney-General, in his radio address, stated it as follows:

"If the Constitution is to remain a living document and the law is to serve the needs of a vital and growing nation, it is essential that new blood be infused into our judiciary."

As analyzed by the critics this demand for new blood is merely a demand for "different blood," for new Justices of the Supreme Court who will decide constitutional questions differently from the decisions of the present Justices; and that, the critics continue, means Justices who will uphold as constitutional the laws which the President wishes upheld.

His Other Statements.

Other statements of Cummings in the address are cited to reveal his real purpose.

"That the freedom of our people to direct their own destiny has been hampered, especially of late, by judicial action is scarcely open to debate," he said. He added that "these limitations upon congressional power have brought into challenge a wide range of projects and measures overwhelmingly approved by our people."

These statements, the opposition asserts, show that when Cummings spoke of "new blood" in the judiciary, he meant in the Supreme Court; obviously it would not do him any good anywhere else, for only the Supreme Court speaks with finality on the constitutionality of acts of Congress; and the purpose clearly is to reverse decisions by which the Supreme Court held that the N.R.A. and other New Deal laws were unconstitutional.

This doctrine, the critics say, actually resolves into one of ignoring the explicit written provisions of the Constitution and reducing interpretation to a fiction by letting the supposed "needs" of the country govern the decision.

Decision Against A.A.A.

This theory has been repeatedly rejected by the Supreme Court, most recently and perhaps most forcefully, in the opinion written by Justice Roberts in which the A.A.A. was held unconstitutional. Justice Roberts said:

"The question is not what power the Federal Government ought to have but what powers, in fact, have been given by the people. It hardly seems necessary to reiterate that ours is a dual form of government; that in every state there are two governments—the state and the United States. Each state has all governmental powers save such as the people, by their Constitution, have conferred upon the United States, denied to the states, or reserved to themselves. The Federal union is a government of delegated powers. It has only such as are expressly conferred upon it and such as are reasonably to be implied from those granted. In this respect we differ radically from nations where all legislative power, without restriction or limitation, is vested in a parliament or other legislative body subject to no restrictions except the discretion of its members."

Going on with his argument, Cummings said: "The judiciary is but a co-ordinate branch of the government. It is entitled to no higher position than either the legislature or the executive." He then quoted from Roosevelt's message to Congress in January in which the President said:

"With a better understanding of our purpose, and a more intelligent recognition of our needs as a nation, it is not to be assumed that there will be prolonged failure to bring legislation and judicial action into closer harmony. Means must be found to adapt our legal forms and our judicial interpretation to the actual present national needs of the largest progressive democracy in the modern world."

Here was what the opposition now calls the revelation of the purpose of the President to make over the Supreme Court to suit his own views.

The Attorney-General further quoted the President: "Life tenure of the judges, assured by the Constitution, was designed to place the courts beyond temptations or influence which might impair their judgments."

Taking note of this, the critics assert that the President's scheme seeks to subject the justices of the Supreme Court to influences, to make them subservient to the will of the President. What, they say, would be the effect on a justice past 70 but in full possession of mental and physical vigor, in seeing a new Justice appointed to supplement him merely because of his age? They assert the effect might be to so humiliate him that he would resign.

Some have said plainly it would amount to intimidation of the court, and they point significantly to the statement of Cummings, discussing the questionable efficiency of a court of 15, as follows:

"If those judges (over 70) think it would be harmful to the court to increase its membership they can avoid that result by retiring upon full pay." A rather broad hint, the critics assert.

By provisions of the bill submitted to Congress the size of the court would remain at nine if all justices retired upon reaching the age of 70, but if none of those now at that age retired the membership would be increased to 15. In either event, the President would have at once the appointment of six new members.

Quotes Other Presidents.

There is nothing new in enlarging the Supreme Court, Cummings argued. "Jefferson, Jackson, Lincoln and Grant, together with the Congresses of their respective periods, saw no objection to enlarging the court."

The court as originally established had six members. In 1807 one justice was added, and in 1837 two justices were added, making a membership of nine, the same as now. It was increased to 10 in 1863, and three years later Congress enacted a statute providing that no vacancies should be filled until the number was reduced to six. When the number had been reduced to seven, Congress in 1869 passed a law again fixing the membership at nine. Thus the enlargement has never before been more than two justices at any one time.

These earlier increases were to take care of the court's business in a rapidly growing country. For many years each justice of the Supreme Court had to ride a circuit and supervise the lower Federal courts and himself hold court in his circuit. As the country expanded, more circuits were added, making it necessary to have more justices.

Ever since the Circuit Courts of Appeals were established in 1891, the tendency has been to reduce the amount of litigation reaching the Supreme Court, leaving to the Courts of Appeals final determination in all cases except those of major issues and of constitutionality of laws of Congress and of the states. In 1925 legislation closely limited the types of cases which might be appealed to the Supreme Court. This limitation was approved in a report by President Roosevelt's Solicitor-General, referred to earlier. After a survey, the Solicitor-General reported last month that the Supreme Court was abreast of its work, that cases were heard and decided promptly, and said nothing about any need of additional man power on the bench.

Cummings dwelt on the fact that President Roosevelt has not appointed any justices to the Supreme Court. That, of course, is because no vacancies have occurred since he took office March 4, 1933. He has made many appointments to the lower Federal courts.

"The Constitution imposes upon all Presidents," Cummings said, "the duty of appointing Federal judges by and with the advice and consent of the Senate."

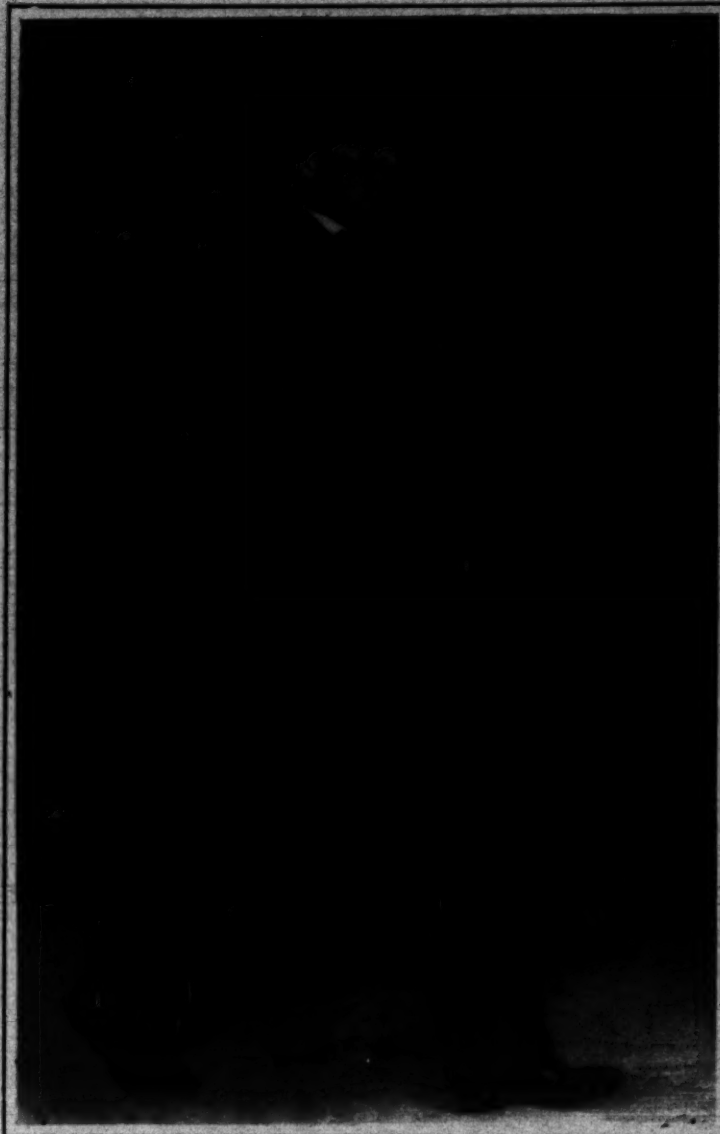
"Upon what grounds, may I ask, do the opponents of the President justify the claim that he shall not perform the duty that all other Presidents have performed?"

This, asserts the opposition, seems to assume that every President has the inherent right to appoint justices of the Supreme Court and make the court an adjunct of his administration, when in fact the constitutional provisions were intended to make the

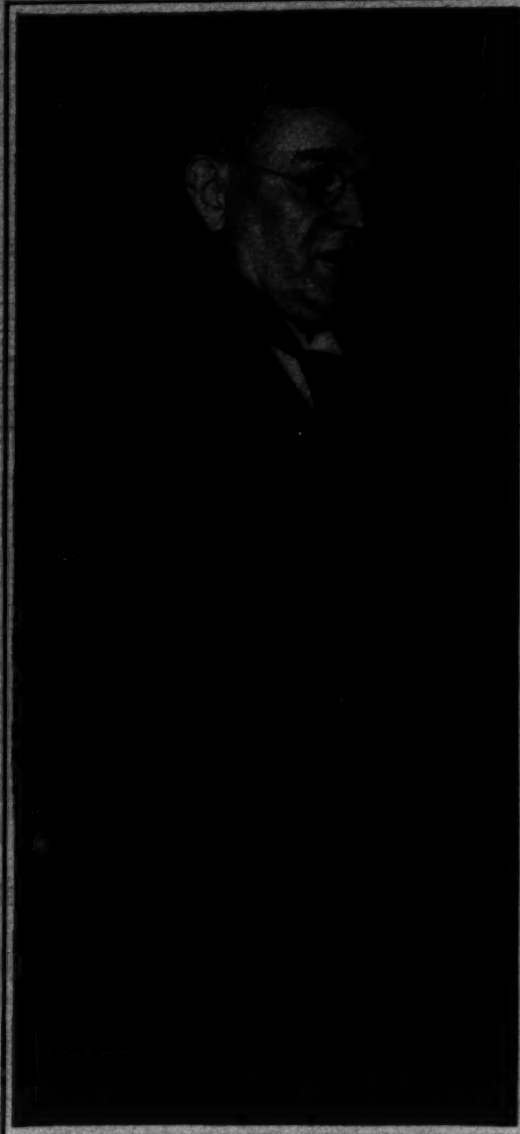
(Continued on Page 16.)

ROOSEVELT INVITES THEM TO RETIRE—BUT

Informal Photographs of the Six Justices of the Supreme Court



McREYNOLDS



BUTLER



BRANDEIS



HUGHES

Lessons Which the Supreme Court Has

On Taking Office He Declared Constitution Gave Congress and Chief Executive All Power They Might Desire to Exercise to Meet Country's Needs.

Our difficulty with the Court today rises not from the Court as an institution, but from human beings within it. . . . Congress has provided financial security by offering life pensions at full pay for Federal Judges who are willing to retire at 70. . . . The Court itself can thus undo what the Court has done.

Post-Dispatch Bureau,
201-205 Kellogg Bldg.
WASHINGTON, March 13.

President Roosevelt apparently is trying to bring about withdrawal of a majority of the Supreme Court Justices from the public service for declining to "go along" with him, as he tried without success in his early days in the White House to fire another public servant who was outside of his jurisdiction, for the same reason. And thereby hangs a tale.

It is the story of the personal feud between Mr. Roosevelt and the Court, which he all but avowed in the sentences quoted above from his recent "fireside" radio address.

To begin with, President Roosevelt entered the White House with a conception of the country's basic law diametrically opposed to its fundamental principles as established by a long line of Supreme Court decisions dating back to the beginning of the Government, principles which numerous decisions of the Court, unanimous or nearly so, on New Deal laws, were soon to reaffirm.

It was as if a student upon entering college undertook, as his first work, to set the faculty right on the most important subject in the curriculum. He declared, in effect, in his first inaugural address, that Congress and the Executive could exercise any power

they deemed expedient to meet any situation which in their judgment required correction.

But the faculty of the College of the Constitution, the nine Justices of the Supreme Court, thundered "No" in chorus to this assumption. And age had nothing to do with the decision, it was that of the youngest as well as the oldest member of the court.

Lesson to President in Humphrey Case.

The lesson read to the President by the Court in the Humphrey case, where his attempted discharge of a public official was overruled, was a striking example of simplicity, clarity and directness, explaining in the best class-room manner, the American constitutional form of government with its division of powers among the legislative, executive and judicial branches, and the checks and limitations on each.

Justice Sutherland wrote the opinion and all members joined in it except Justice McReynolds who wrote a separate one reaching the same conclusion. The far-reaching importance of this action was overshadowed in public interest by the NRA decision handed down the same day, which received the greater attention because of its wider practical effect.

The President had attempted to dismiss William E. Humphrey, a Federal Trade Commissioner who had been appointed by President Hoover for a term ending Sept. 25, 1938. Asking for the commissioner's resignation, Mr. Roosevelt wrote to him:

"You will, I know, realize that I do not feel that your mind and my mind go along together on either the policies or the administering of the Federal Trade Commission, and, frankly, I think that it is best for the people of this country that I should have a full confidence."

Congress created the commission as an independent agency and it therefore was a part of the legislative branch of government. It was provided by statute that the President might remove members for inefficiency, neglect of duty, or malfeasance in office. None of these causes was cited by the President against Humphrey and he declined to resign. Roosevelt then notified him he was dismissed; he resisted and after his death early in 1934 the executor of his estate filed suit in the Court of Claims for his salary in full up to the time of his death. Considering the case on questions certified by the Court of Claims, the Supreme Court held that the attempted dismissal was an illegal act on the part of the President and of no effect.

Right of Removal Denied by Court.

Said the Court, through Justice Sutherland:

"We think it plain under the Constitution that illimitable power of removal is not possessed by the President in respect of officers of the character of those just named. (Members of commissions created by Congress.) The authority of Congress, in creating quasi-legislative or quasi-judicial agencies, to require them to act in discharge of their duties

AFC

THE fundamental duty of maintaining each of the general departments of Government entirely free from the control or influence, direct or indirect, of either others has often been stressed and open to serious question. So much so that the very fact of the separation of powers of these departments by constitution—Justice Sutherland in the famous Humphrey case decision.

EXTRAORDINARY conditions do not create or destroy constitutional power. . . . These powers of the National Government are the province of the Court to consider economic advantages or disadvantages of a centralized system (regulation of industry set up by NRA). It is to say that the Federal Constitution does not provide for it.—Chief Justice in the NRA opinion concerning members of the Court. . . . It is the duty of the Court to amend the Constitution in such a decision.—Hughes in the Guffey case.

NOTHING is more than that beneficent aim of great or well directed, can be in lieu of constitutional power. Sutherland in the majority of the Guffey case.

RETIRE BUT THEY CONTROL THE SITUATION

Justices of the Supreme Court Who Are 70 or Older



BRANDEIS



HUGHES



SUTHERLAND



VAN DEVANTER

Court Has Read to President Roosevelt

The Nine Judges Said "No" in One of First Cases to Reach Them and the Controversy Has Increased in Warmth From That Day.

ATC

THE fundamental principle of maintaining each of the general departments of Government entirely free from the control or influence, direct or indirect, of either of the others has often been stressed and is open to serious question. So much is the very fact of the separate powers of these departments by the Constitution.—Justice Sutherland in famous Humphrey case decision.

EXTRAORDINARY conditions do not create or enlarge constitutional power. . . . These powers of the National Government are limited by the constitutional grants. . . . It is the province of the Court to consider the advantages or disadvantages of a centralized system (regulation set up by N.R.A.). It is to say that the Federal Constitution does not provide for it.—Chief Justice Hughes in the N.R.A. opinion concurring with the majority of the Court. . . . It is the province of the Court to amend the Constitution in a final decision.—Hughes in the case.

NOTHING is more than that beneficent aim, great or well directed, can be in lieu of constitutional power. Sutherland in the majority opinion in the Guffey case.

Independently of executive control cannot well be doubted; and that authority includes, as an appropriate incident, power to fix the period during which they shall continue in office, and to forbid their removal except for cause, in the meantime.

"For it is quite evident that one who holds his office only during the pleasure of another cannot be depended upon to maintain an attitude of independence against the latter's will.

"The fundamental necessity of maintaining each of the three general departments of government entirely free from the control or coercive influence, direct or indirect, of either of the others, has often been stressed (in earlier decisions) and is hardly open to serious question. So much is implied in the very fact of the separation of the powers of these departments by the Constitution, and in the rule which recognizes their essential co-equality.

"The sound application of a principle that makes one master in his own house precludes him from imposing his control in the house of another who is master there. James Wilson, one of the framers of the Constitution and a former Justice of this Court, said that the independence of each department required that its proceedings 'should be free from the remotest influence, direct or indirect, of either of the other two powers.'

"The power of removal here claimed for the President falls within this principle, since its coercive influence threatens the independence of a commission, which is not only wholly disconnected from the executive de-

partment, but which, as already fully appears, was created by Congress as a means of carrying into operation legislative and judicial powers, and as an agency of the legislative and judicial departments."

8 to 1 Decision in "Hot Oil."

This was but an episode in the Court's conduct of the class in the Constitution, a chapter in the series of lectures seemingly so galling to the President's pride. Somewhat earlier the first rebuff to the Roosevelt conception had come in the "hot oil" decision where a section of the National Industrial Recovery Act was held unconstitutional because of attempted delegation of legislative power to the President. There the 8 to 1 opinion written by Chief Justice Hughes, with only Justice Cardozo dissenting, said:

"The question whether such a delegation of legislative power is permitted by the Constitution is not answered by the argument (put forward by the administration) that it should be assumed that the President has acted, and will act, for what he believes to be the public good. The point is not one of motives, but of constitutional authority, for which the best of motives is not a substitute."

Hughes on Morals in Government

Following this was that precept of morals in government read by Chief Justice Hughes in the majority opinion holding that Congress was without power to repudiate the pledge of the Government to pay its bonds in gold,

which one of the New Deal laws undertook to do. The holder of a bond had no remedy by which he could enforce the right to receive payment as promised, the Court said, but—

"While the Congress is under no duty to provide remedies through the courts, the contractual obligation still exists and despite infirmities of procedure, remains binding upon the conscience of the sovereign."

These were only mild hints of the devastating rejection of the Roosevelt theory of the Constitution that was to come in the unanimous decisions against N.R.A. The legislation at issue here was described by the President when he signed it as the most important and far-reaching ever enacted by an American Congress and at other times as the heart of the New Deal. It embodied as did no other act his conception of vast congressional and executive power to regulate prices, wages and employment conditions throughout virtually the whole body of industry and trade.

"Wrong again," in effect said the nine members of the Court, the majority speaking through Chief Justice Hughes, with Cardozo and Stone stating their concurring views in an even more emphatic separate opinion.

"The Congress is not permitted to abdicate or to transfer to others the essential legislative functions with which it is thus invested" (by the Constitution), said the Chief Justice in explaining why the multitude of code rules promulgated by the supposed authority of the President flowed from an unconstitutional

(Continued on Page 14.)

Lessons the Court Has Read to Roosevelt

(Continued from Page 13.)

delegation of legislative power and could not be recognized as valid law.

"Such a delegation of legislative power is unknown to our law and is utterly inconsistent with the constitutional prerogatives and duties of Congress," the opinion said.

Emergency Plea Also Rejected

The attempt in N.R.A. to justify extraordinary power of the Federal Government on the ground of the emergency of the depression was rejected and the reason was given with primer-like simplicity:

"Extraordinary conditions may call for extraordinary remedies. But the argument necessarily stops short of an attempt to justify action which lies outside the sphere of constitutional authority. Extraordinary conditions do not create or enlarge constitutional power. The Constitution established a national government with powers deemed to be adequate, as they have proved to be both in war and peace, but these powers of the national government are limited by the constitutional grants."

The writers of this vital New Deal law sought to bolster it by having it say that local industrial and business activities affected interstate commerce and so brought them under the congressional regulatory power granted by the interstate commerce clause of the Constitution. This, too, was rejected by the Judges, their opinion saying:

"It is not the province of the court to consider the economic advantages or disadvantages of such a centralized system. It is sufficient to say that the Federal Constitution does not provide for it."

"This is delegation running riot," said Justice Cardozo of the N.R.A. code scheme.

"Horse and Buggy," Says President

The corrections of the presidential concept of Federal power so carefully phrased in these early opinions of the court were not accepted by Mr. Roosevelt, as was shown by his argumentative rejoinders in the famous "horse and buggy" press interview four days after the N.R.A. decision.

He said the administration had hoped for an interpretation of the interstate commerce clause in the light of "new conditions"; that the thought was that a harmful practice in one section of the country had its effect in another section; that was why Congress thought it could depend on an interpretation to broaden the definition of interstate commerce.

He thought the court in earlier decisions had held much more liberally in defining interstate commerce and he cited the validation of an injunction against a mine workers' organization restraining it from interference with interstate commerce. (This was the Coronado Coal Co. case which a later opinion of the court, as will be told, carefully explained, seemingly for the President's information.)

Commenting on the court's declaration that extraordinary conditions do not enlarge constitutional power, he wanted to know what about the war-time legislation in 1917 and 1918—wasn't it more violative of the Constitution than the New Deal laws?

And didn't the N.R.A. opinion mean that the Federal Government could not legislate on social and economic problems of national scope, making this country unique in that respect, all other national governments having that power? It seemed from this that only the states could legislate in this field and he contemplated the confusion of 48 different types of control.

The Guffey Coal Act

As if to further declare his rejection of the precepts of the court, the President shortly afterward urged Congress to pass the Guffey Coal Control Act, embodying virtually all the N.R.A. principles, regardless of doubts, "however reasonable," as to its constitutionality.

There was written into this act, a penalty tax for enforcement, another avenue through which the Roosevelt concept held that broad congressional and executive powers could be exerted. On the same theory a tax was used in the Agricultural Adjustment Act to provide funds to "purchase" compliance of farmers. These two acts, with the N.R.A., embraced the fundamental frame-work for the New Deal scheme for the "more abundant life."

As was generally expected after the N.R.A. decision, the court held these two acts unconstitutional, voting 6 to 3 in the same line-up in both cases, and in these opinions new chapters were added to the

text book that seemingly was being written for enlightenment of the White House.

View of Justice Roberts

Constitutional limitation of the power of the Federal Government again was dealt with in the A.A.A. majority opinion written by Justice Roberts, incidentally the youngest member of the court, now 61.

"The question is not what powers the Federal Government ought to have but what powers in fact have been given by the people," Justice Roberts wrote.

"It hardly seems necessary to reiterate that ours is a dual form of government; that in every state there are two governments—the state and the United States. Each state has all governmental powers save such as the people, by their Constitution, have conferred upon the United States, denied to the states, or reserved to themselves.

"The Federal union is a Government of delegated powers. It has only such as are expressly conferred upon it and such as are reasonably to be implied from those granted."

And then, reminding one of the President's question in his N.R.A. interview about national powers—

"In this respect, we differ radically from nations where all legislative power, without restriction or limitation, is vested in a parliament or other legislative body subject to no restrictions except the discretion of its members."

The A.A.A. Opinion

The constitutional duty of the Court, about which the President has expressed doubt, particularly when he said it had "asserted a power to veto" legislation, was simply explained by Justice Roberts in the A.A.A. opinion.

"It is sometimes said that the Court assumed a power to overrule or control the action of the people's representatives," he wrote. "This is a misconception. The Constitution is the supreme law of the land ordained and established by the people. All legislation must conform to the principles it lays down. When an act of Congress is appropriately challenged in the courts as not conforming to the constitutional mandate, the judicial branch of the Government has only one duty—to lay the article of the Constitution which is invoked beside the statute which is challenged and to decide whether the latter squares with the former."

"This Court neither approves nor condemns any legislative policy. Its delicate and difficult office is to ascertain and declare whether the legislation is in accordance with, or in contravention of, the provisions of the Constitution; and, having done that, its duty ends."

The opinion in the Guffey case, where by a 6-to-3 vote the Justices decided the act was unconstitutional, must have been written with extreme care, for the Court could not have failed to notice the public plea of the President to enact it regardless of doubts about its constitutionality. So again, with primer-like simplicity, the Court described the application of the Constitution as the basic law.

Justice Sutherland's Statement

In the majority opinion, Justice Sutherland, one of the older members, wrote:

"These (purposes of the Guffey Act), it may be conceded, are objects of great worth; but are they ends, the attainment of which has been committed by the Constitution to the Federal Government?"

"This is a vital question; for nothing is more certain than that beneficent aims, however great or well directed, can never serve in lieu of constitutional power. . . . Whether the end sought to be attained by an act of Congress is legitimate is wholly a matter of constitutional power and not at all of legislative discretion. Legislative congressional discretion begins with the choice of means and ends with the adoption of methods and details to carry the delegated powers into effect."

"Thus it may be said that to a constitutional end many ways are open; but to the end not within the terms of the Constitution, all ways are closed."

Here, too, the President's reiterated view that the national government had unlimited powers to legislate for the general welfare was examined in the light of the Constitution as members of the Court for generations have understood its terms. Justice Roberts said:

"The proposition, often advanced and as often discredited, that the power of the Federal Government inherently extends to purposes affecting the nation as a whole with which the states severally cannot deal or cannot adequately deal, and the related notion that Congress entirely apart from those

powers delegated by the Constitution, may enact laws to promote the general welfare, have never been accepted but always definitely rejected by this Court."

He was not speaking merely of the present members of the Court, but of the Court as an institution over the period of the nation's life.

What Chief Justice Hughes Said

In this case, Chief Justice Hughes, one of the elder jurists, also read the President a lesson in constitutional procedure.

Mr. Roosevelt had complained in his N.R.A. press interview about the seeming lack of power under the Court's decision to legislate nationally for regulation of industries which were not held to constitute interstate commerce, but had declined to say whether he would favor a constitutional amendment to clearly confer the power on Congress.

Said the Chief Justice, in a separate opinion:

"If the people desire to give Congress the power to regulate industries within the state, and the relations of employers and employees in those industries, they are at liberty to declare their will in the appropriate manner, but it is not for the Court to amend the Constitution by judicial decision."

Here, also, Justice Roberts pointedly corrected the President's view of how the Court had interpreted interstate commerce in the Coronado Coal case. He wrote:

"Certain decisions of this court, superficially considered, seem to lend support to the defense of the act now under review (Guffey Act). But upon examination they will be seen to be inapposite. Thus, Coronado Co. v. U. M. Workers and kindred cases, involved conspiracies to restrain interstate commerce in violation of the anti-trust laws; the acts of the persons involved were local in character, but the intent was to restrain interstate commerce, and the means employed were calculated to carry that intent into effect. Interstate commerce was the direct object of attack; and the restraint of such commerce was the necessary consequence of the acts."

An Answer in Advance

The President's bitter complaint in his latest radio address that "in the last four years the sound rule of giving statutes the benefit of all reasonable doubt has been cast aside," was answered in advance by Justice Roberts in the A.A.A. decisions. He said:

"Every presumption is to be indulged in favor of faithful compliance by Congress with the mandates of the fundamental law. Courts are reluctant to adjudicate any statute in contravention of them. But, under our frame of government, no other place is provided where the citizen may be heard to urge that the law fails to conform to the limits set upon the use of a granted power. When such a contention comes here we naturally require a showing that by no reasonable possibility can the challenged legislation fall within the wide range of discretion permitted to the Congress."

"If the statute plainly violates the stated principle of the Constitution, we must so declare."

Obviously the President has failed to impress upon the Court his own concept of the Constitution, which he so boldly and confidently proclaimed at the beginning of his first term; the Court remains master in its own house.

Thus, the controversy has come to the stage where the President has all but asked the six Justices who are now past 70 and eligible to retire on pension to step down from the bench, so that he may appoint others who would reverse the rulings of the Court on New Deal laws. But the elder jurists control the situation; their jobs are for life by decree of the Constitution; they may stay if they wish as long as they feel they are mentally and physically capable of performing their duties.

The retirement of the six eligibles plainly would fully and immediately serve the President's purpose. He then could appoint six new members in a court of nine, a certain majority. But if the six choose to stick to their posts and if the President's bill should be passed by Congress the situation would be quite different. He then would be empowered to appoint six new members. The nine sitting Justices who held his conceptions of the fundamentals of the Constitution to be wrong would control the new court of 15, and presumably none of the vital New Deal acts which they have held to be unconstitutional, if re-enacted would be approved by the Court.

This leaves the possibility that secondary measures such as the A.A.A. and Guffey Act might be approved 9 to 6, the six new Justices joining with the minority of three in those cases, but this would not be the New Deal.

Editorial

MR. ROOSEVELT

(From the St. Louis Post-Dispatch)

THE savage attack of one of the President's head of another Court, should stir who cares for the system.

Demagogic in its words, it is a distorted picture of the Court's position.

The speech can be of those who support the President. None can speak in the name of the Court. The issue is a national one and the people would have to decide.

Mr. Roosevelt's attacks upon the Court are a serious matter. Those attacks are the so-called "horse and buggy" speech. President last night's decision with those who voted, vented. He attacked the majority, but those all of whom joined the Trial Recovery Act.

Is Mr. Roosevelt the alibi, that he is cured in by the widely varying economic conditions?

He went still further. "I know," he said, "I assumed the power of the government." And again he said: "You know I did veto, that program."

Assumed the power? Does Mr. Roosevelt usurped the power of the government? He is advancing now, the power of judicial review is taken away?

If that is his conclusion, the issue be fought out. Almost overnight, the acute crisis in the economic action. He is beyond absolute freedom from legal doubt. The solution of the problem is during and after the had been conquered even keel.

If the need for action pressing eight months, the convention wrote the New Deal could not be taken as it now would be sought.

Since the time of the decision of the court, the situation with regard to the Court is exactly the same. The situation is the same as it was months ago, when the N.R.A. Mr. Roosevelt's platform of last June, when he called the Constitution, but to issue of change in the people, but to effecting the people.

FARLEY REDUCES ROOSEVELT'S SCHEME TO REMAKE SUPREME COURT TO SIMPLE PARTY ISSUE

MR. ROOSEVELT'S DIATRIBE.

(From the Post-Dispatch of March 5, 1937.)

Since the time of the convention, there has been no decision of the court adverse to the New Deal; the situation with regard to the New Deal and the Supreme Court is exactly the same now as it was then. Indeed, the situation is substantially the same as it was 21 months ago, when the Supreme Court knocked out the N. R. A. Mr. Roosevelt said at the time that this decision presaged the invalidation of other important New Deal legislation. He knew then, and stated, what his problem was. And he accepted in full the Democratic platform of last June. His words must fail to convince when he calls now for action, not to amend the Constitution, but to circumvent it—not to submit the issue of change in essentials of our Government to the people, but to effect a drastic change without consulting the people.

It merely happens that five of our nine Supreme Justices have a different philosophy from the other four; a philosophy that is not in accord with the majority sentiment that is supposed to govern the nation.

*Facsimile of news story from the Post-Dispatch
of March 9, 1937.*

All the camouflage with which the President surrounded his court proposal in his message to Congress came off last night. He seeks by a coup to bend the Supreme Court to his will. His speech of last night was a demagogic effort to that end.

The issue is crystal clear.
May those in Congress who value constitutional government stand fast in their faith!

ELEMENTS of the ROOSEVELT DEFENSE

(Continued from Page 11.)

court wholly independent and never subject to the will of a President; if there have been no vacancies for Roosevelt to fill that is merely a fortuitous circumstance.

Charge of "Packing."

In defense of the plan, Cummings took notice of the widespread charge that it was devised to enable the President to "pack" the court.

"Again, it is loosely charged," he said, "that the present proposal is a bold attempt to 'pack' the court. Nothing could be farther from the truth. Every increase in the membership of a court is open to that charge, and indeed every replacement is subject to the same objection. Under the President's proposal, if there is any increase in the total number of Judges, it will be due entirely to the fact that Judges now of retirement age elect to remain on the bench."

This defense denial of the charge of "packing" was considerably weakened when Senator James F. Byrnes of South Carolina, often mentioned as the President's spokesman in the Senate, frankly admitted it in a radio address a few nights later. He said: "If by 'packing' the court it is meant that the President would nominate only persons who agree with him as to the fundamental interpretation of the Constitution, I hope that is true." He went on to appeal to special groups, laborers, farmers, the unemployed, to support the proposal on the assumption that their self-interests would be served thereby.

Opposition's Conclusion.

From the Cummings speech and other defensive statements, the opposition has drawn the conclusion the President would prefer an increase in the size of the court, and that all six of the Justices of retirement age should withdraw. In this way the six new members to be appointed by Roosevelt would constitute two-thirds of the total membership, while if the older Justices remained and the number were raised to 15, the six new ones would be only two-fifths of the total, not strong enough in voting power to overcome a united vote of the other nine in a case such as that of the N. R. A., where they were unanimous that it was unconstitutional.

Yet there was no provision in the administration bill as submitted to Congress for full pay of the justices to continue automatically on their retirement. The President, however, was quick to indorse a measure to that end already pending in Congress and which had been introduced at the preceding session. Some administration Senators lukewarm or hostile to the court enlargement plan have indicated a hope that passage of that measure would result in some vacancies on the court and ease the situation.

The legal training and experience of the Attorney-General was manifest at times in his speech, particularly in the statement "All Judges must be approved by the Senate, and once seated are not subject to executive domination or control." A strange contrast, the critics say, to the patent effort to influence future opinions of the court.

It is pointed out, too, that Cummings in defending congressional acts before the court has acknowledged its constitutional authority to interpret the Constitution and render binding opinions in cases coming before it. He must realize, the critics assert, that if the power of the court in this respect were destroyed, by whatever means, there would be no effective agency for the future protection of such rights and benefits as might be conferred by New Deal laws.

Questions of Amendment.

The final argument of Cummings, and one repeated by many defenders of the scheme, was that amendment of the Constitution to confer specifically on Congress the desired powers would be too slow. As an amendment requires ratification by three-fourths of the states, it takes only 13 adverse states to kill an amendment, the Attorney-General pointed out. Then he cited the case of the child labor amendment submitted 13 years ago but not yet ratified.

From recent experiences the informed public is fairly familiar with the processes of amending the Constitution. In the last few years it has seen two amendments quickly adopted—the prohibition repeal amendment and the Norris "lame duck" amendment changing the time for sessions of Congress to begin

ROOSEVELT CENTERS HIS FIRE ON SIX JUSTICES ELIGIBLE TO RETIRE

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He Declares He Wants to
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Post-Dispatch Bureau,
254-255 Kellum Bldg.
Washington, March 18.—At-
tacking the six members of the
Supreme Court who are eligible
for retirement, but adopting a new
strategy, Mr. Cummings today
declared that "basically behind the
present proposal is the desire to
bring about a change in the
composition of the court, and a
change in the balance of power
between the executive and the
judiciary."

(Facsimile from the Post-Dispatch of
March 10, 1937.)

and for the inauguration of the President. Each was ratified by three-fourths, or more, of the states and made a part of the Constitution in less than a year from the time Congress submitted it.

The opposition does not deny that a small group of states, barely more than one-fourth, may block an amendment, and that it might be possible for a "pressure" group of states, as the deep South, to delay or prevent amendment, but it points out that the method of amendment is set forth in detail in the Constitution, and that whenever public opinion has been predominantly in favor of amendment the fact usually has been accomplished in a reasonably short time.

"Strategy of Delay"

Speaking of the advocacy of amendment, Cummings said:

"This is the strategy of delay and the last resort of those who desire to prevent any action whatever."

What, asks the opposition, becomes of the administration argument that the tremendous popular plurality given President Roosevelt in the last election was a vote in favor of whatever measures he might propose to carry out his program?

If that were true, it is asked, and so broad a mandate given, would it not follow that the support of so large a part of the voters would assure quick adoption of an amendment?

First debate on the Supreme Court proposal came up in the Senate Friday, when Senator Ashurst of Arizona, chairman of the Judiciary Committee, defended it as the "mildest" measure that has been introduced in Congress on the question of the court. He added that he marveled "in the circumstances at the moderation of the President."

(From the Post-Dispatch of March 10, 1937.) THE INVITATION TO RETIRE

"The Court itself can thus undo what the Court has done." This sentence, occurring toward the end of the President's address, was at once the keynote of his second attack on the Court and the cue to what he is striving for with all of the great influence of his office. While the generalities of the attack were leveled at the Supreme Court as an institution, specifically, the target was the six Justices who are eligible to retire at full pay. If they can be induced to leave the bench the membership will remain at nine, and Mr. Roosevelt will be able to appoint a new majority, who presumably would be men who share his views of the Constitution and would express them in their decisions. But if the six refuse to quit, the President can only appoint six additional members, and the present nine who held N. R. A. (the heart of the New Deal, as Mr. Roosevelt said) to be unconstitutional, would constitute the majority, and his plan to legalize the New Deal and his philosophy of the Constitution would be frustrated. He led up to his plain invitation to the six Justices to step down in the following paragraphs:

In the last four years the sound rule of giving statutes the benefit of all reasonable doubt has been cast aside. The Court has been acting not as a judicial body, but as a policy-making body.

The majority of the Court has been assuming the power to pass on the wisdom of these acts of the Congress—and to approve or disapprove the public policy written into these laws.

The Court . . . has improperly set itself up as a third house of the Congress—a super-legislature, as one of the Justices has called it—reading into the Constitution words and implications which are not there, and which were never intended to be there.

By bringing into the judicial system a steady and continuing stream of new and younger blood, I hope . . . to bring to the decision of social and economic problems younger men who have had personal experience and contact with modern facts and circumstances. . . .

Our difficulty with the Court today rises not from the Court as an institution, but from human beings within it.

Disinclination of individuals to leave the Supreme Bench has now given us a Court in which five Justices will be over 75 years of age before next June and one over 70. Thus a sound public policy has been defeated.

I propose that hereafter, when a Judge reaches the age of 70, a new and younger Judge shall be added to the Court automatically. In this way I propose to enforce a sound public policy by law instead of leaving the composition of our Federal courts, including the highest, to be determined by chance or the personal decision of individuals.

The Court itself can thus undo what the Court has done.

When he was asked from the floor if it was not hoped by this to get an interpretation of the Constitution that would validate social and economic legislation, he sharply denied that the President would even think of inquiring about the view of a prospective appointee to the court.

Plain Words in Opposition.

Plain words were used by two of the opposition leaders, Senator Wheeler (Dem.), Montana, and Representative Guyer (Rep.), Kansas, in radio addresses Friday night. They dealt with the President as a politician not entitled to special consideration.

Wheeler, who was the vice-presidential candidate of the Progressive party in 1924, when the late Senator Robert M. La Follette was the presidential candidate, after analyzing the proposal and Cummings' defense of it, declared that "stripped of arguments of specious plausibility, the proposal stands as an effort to control the membership of the Supreme Court."

"A liberal cause was never won by stacking a deck of cards, nor by stuffing a ballot box, nor by packing a court," Wheeler said.

Equally outspoken was Representative Guyer, perhaps indicative of the bitterness of the debate that is to come in Congress. He saw the President's proposal reducing the Supreme Court "to the degradation of a political mistress."

"This," Guyer continued, "is the bold, unvarnished undertaking of the chief executive to dominate the court and control its decisions for the next four years."

Both speakers declared the proposal was but a step toward dictatorship, to the rule of a Caesar, and they wanted no such rule in the United States.

Editorial FALSE

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Editorials—

FALSE PROPAGANDA

(From the Post-Dispatch of March 8, 1937.)

IT WOULD be hard to construct a statement more outrageously deceptive than one which Harry L. Hopkins, WPA administrator, delivered the other night in a national broadcast supporting the President's court-packing scheme. We quote from the authorized text of the speech:

Congress has passed laws providing for unemployment relief, drouth relief, minimum wages, aid to the farmers, old-age pensions and other necessities. At the election last November, the great majority approved those laws. But a bare majority of the nine Judges on the Supreme Court have said all those laws were no good and could not be enforced, because the Constitution made them bad.

That the plain facts of the matter—the facts as a whole and the facts in detail—could have been so grossly misrepresented by any responsible person, let alone one in the high and important official post that Mr. Hopkins occupies, almost passes belief.

But there the statement is—put out over a national radio hook-up in the effort to "sell" the President's proposal to the people.

Talk about mendacious propaganda!

Let us take up the items in Mr. Hopkins' assault on the Supreme Court. He says that "a bare majority of the nine Judges"—that is, five out of the nine—have declared "all those laws"—all those he enumerates—unconstitutional.

Unemployment relief. Not only has the Supreme Court not invalidated unemployment relief, but the right of Congress to appropriate for relief has not been questioned before the court. Congress has poured out billions for relief without judicial interference or attempt at interference. Mr. Hopkins, of all persons, should know that, for he is the principal spender of the relief money. One of the great powers of Congress is the spending power. In that field it stands supreme. Into that "dread field," as Prof. Corwin has written in his book on the Supreme Court, the court "within the last generation . . . has decisively refused to thrust its sickle."

Drouth relief. What we have said of unemployment relief is true of this item also. No question as to the right of Congress to appropriate for drouth relief has been before the Supreme Court. Yet Mr. Hopkins has drouth relief denied the stricken farmers of the United States by the maleficent "dictatorship" exercised by a "bare majority" of the Supreme Court.

Minimum wages. Congress has passed no law fixing minimum wages. A measure that could possibly be described as a minimum wage law was the National Industrial Recovery Act, under which minimum rates of pay were fixed by N R A codes in certain industries. The Recovery Act was killed because it constituted an unwarranted delegation of legislative power to the President and because it exceeded the authority of Congress under the commerce clause. And the Recovery Act was invalidated, not by the vote of a bare majority of the Judges, but by the votes of all nine of them. Congress did not pass the minimum wage law which the Supreme Court killed by a vote of five to four. That was a New York State law, fixing minimum wages for women; it was not a part of the Roosevelt New Deal. Mr. Hopkins again misstates the facts by 100 per cent.

Aid to the farmers. The only element of truth in Mr. Hopkins' recital of this item is the invalidation of A A A by the Supreme Court. The vote against A A A was six to three. That was a two-thirds vote against it. Moreover, it is patently false—it is preposterous—to say that all the laws of Congress granting aid to the farmers have been ruled out by the court. Numerous such acts have been put into effect. The Soil Conservation Act, which superseded A A A and under which large payments are now going out to the farmers, has not come before the Supreme Court.

Old-age pensions. If there is any modicum of truth in Mr. Hopkins' statement on this point, it is in the fact that the Supreme Court invalidated the Railway Pension Act by a vote of five to four. It was an act that sought to apply pensions in a limited field. Mr. Hopkins speaks in general terms of old age pensions. The only act that can be said to set up an old age pension system is the Social Security Act, and on this the Supreme Court has yet to rule.

It is a sheerly demagogic appeal which Mr. Hopkins makes to the farmers, the wage earners, the millions on relief and the aged. "If two or three of the nine Judges"—here he makes a slight retreat from his first statement about a "bare majority"—had voted the other way on the laws he names, then "we could have had what we want and need."

That is to say, two or three men on the Supreme

PARTY LOYALTY SHOULD BE THE GUIDING PRINCIPLE—Jim Farley



(From the Post-Dispatch of March 10, 1937.)

THE LETTER AND THE SPIRIT

(From the Post-Dispatch of March 10, 1937.)

NOTHING that Mr. Roosevelt said last night, in his artfully contrived radio plea for support of his court proposal, can alter the fundamental fact that what he seeks to do is outside the spirit of the Constitution.

Nobody has denied that the plan is within the letter of the Constitution. There are many things possible for a President to do within the letter but not the spirit of the basic law. He could, for example, pick a quarrel with a foreign nation and so confront Congress with the accomplished fact of war. None could point to an inhibiting section of the Constitution, but the betrayal of trust would not be the less shocking on that account. The people must place a great measure of trust in the high-mindedness and the self-restraint of their elected officers.

In quoting last night from the pledge of the Democratic platform that if the objectives of the New Deal could not be attained within the Constitution, "clarifying amendment" would be sought, the President neglected to read the last sentence of the plank. That sentence says: "Thus we propose to maintain the letter and spirit of the Constitution."

The President says the court has set itself up as a super-legislature. That means only that the majority of the court—and, in the vitally important matter of N R A, the whole court—has disagreed with the President's conception of the Constitution. Mr. Roosevelt would therefore set himself up as a super-Supreme Court.

The President says we must act to save the Constitution from the court. That is to say, we must act to save Mr. Roosevelt's reading of the Constitution from the court.

Court have denied the people old age pensions (when the pension question has not been acted on); two or three men have denied aid to the farmers (when billions are being granted in bounties); two or three men have denied relief to the unemployed (when Mr. Hopkins himself is administering the spending of billions for relief); two or three men have bilked the wage earners of their just dues, (when N R A, already con-

Must we not, in fact, act to save the Constitution, with its creation of an independent judiciary to stand as a bulwark against executive and legislative overstepping of the bounds—must we not act to save the Constitution from Mr. Roosevelt?

Mr. Roosevelt, in his original message proposing his court-packing scheme, relied heavily on the contention—now thoroughly discredited—that the processes of justice in the court needed speeding up. He falls back now on the argument that a crisis in the nation's affairs demands instant action. A most convenient crisis, that—occurring immediately after a campaign in which Mr. Roosevelt boasted of the recovery in the nation and announced it had come about because "we planned it that way."

He says that the way of constitutional amendment—the sole orderly way in which the fundamental law can be changed—is too slow. That was not said by the party in the Democratic platform. It was not said by Mr. Roosevelt in the campaign. It is just now being said, nearly two years after the N R A decision, which plainly showed Mr. Roosevelt the constitutional bars in the way of his program.

Mr. Roosevelt prides himself on being a fighter; he talks a fighter's language. Is his defeatist attitude toward an amendment—after he has carried 46 of the 48 states of the Union—in the character of a fighter? Is it not, rather, in the character of a dodger?

Mr. Roosevelt says the American people are in the driver's seat. That can be true only so long as the American people decline to allow a change in the fundamentals of the American system save by a vote of the people themselves.

demned by public opinion, was killed by unanimous vote of the court, and when Congress and the President have presented the minimum wage question neither to the court through a legislative enactment nor to the people through a proposed amendment).

The falsification of the record could hardly go further.

Roosevelt, the Constitution and the Supreme Court

Defenders of Scheme to Remake the Court Complain of 5 to 4 Decisions
But the Only One of These on a Vital New Deal Act Was Favorable.

Post-Dispatch Bureau,
201-205 Kellogg Building,
WASHINGTON, Feb. 27.

PARTISANS of President Roosevelt's scheme to remake the Supreme Court complain of 5 to 4 decisions of the Court as intolerable in a democracy. This ignores the probability that 8 to 7 decisions by an enlarged court would be even more objectionable; it leaves out of consideration also the obvious fact that majority rule is a primary principle of democracy and courts composed of more than one Judge can function only in that way. However that is argument and the field of this article is factual analysis.

More important than these considerations is the showing of the record of the Court that not one decision has gone against an Act of Congress which was vital to the New Deal by 5 to 4. Instead, the only decision by this narrow division—"one-Judge rule," as it has been called—in a test of importance to the New Deal went the other way and upheld the act. This was in the "Gold Clause" case where the Court sustained the cancelling of gold obligations in private contracts.

This authority was absolutely essential to the carrying out of the President's fiscal policy, which included devaluation of the dollar. True, an equally necessary companion provision of the act, cancelling the gold clause in Government bonds, was held to be unconstitutional by an 8 to 1 decision; true, also, the President's "managed currency" policy would have been wrecked by this decision if it could have been made effective, but enforcement was not possible because of "infirmities of procedure," as the Court observed. This fact is interesting principally as revealing a bit of Roosevelt luck, since it is beside the point of the 5 to 4 decisions.

New Deal Cornerstones and What Happened to Them.

The essential part of the President's legislative program for carrying out the New Deal consisted of first, the National Industrial Recovery Act (N.R.A.); second, the Agricultural Adjustment Act (A.A.A.); third, the Guffey Coal Control Act (which rested on the same constitutional ground as the more far-reaching Wagner Labor Relations Act, now under consideration by the Supreme Court), and fourth, the Gold Clause Act.

A number of other New Deal measures which have been passed on by the Court are included in the analysis in the accompanying chart, but these four expressed in themselves the President's conception of the Constitution, and without validation of them the New Deal was doomed, as the President plainly implied in his "horse and buggy" interview in May, 1935.

The closest decisions against vital New Deal laws were 6 to 3, by which division the Court found both A.A.A. and the Guffey Coal Act unconstitutional. (Chief Justice Hughes joined the minority in upholding the price-fixing provisions of the Guffey Act, but this phase of the law was apart from its use of the taxing power to regulate wages and hours and should be so distinguished.)

This 6 to 3 division was really two to one against the President's view of the Constitution. Incidentally it was a stronger proportional majority against him than was the "mandate of the election" for him. His popular vote was 27,000,000, with 16,000,000 against him. In this connection it is amusing to note that many defenders of the court scheme prefer to state the popular mandate in terms of the electoral vote, 46 states to 2. But they decline the challenge of critics to go to the country with a constitutional amendment to legalize the New Deal on the score that opposition of only 13 states would be needed to beat it.

The charge of usurpation of legislative authority by the Court, then, must rest on these two cases in which a majority of 6 to 3 found that the legislation was contrary to the Constitution, and on the N.R.A. case where all of the nine members, the so-called "liberals" as well as the "conservatives," agreed that the act was unconstitutional. And likewise, if the President's legislative program is to be upheld by a changed court, a majority of the new court will have to overrule the six-Judge and nine-Judge decisions

against the two fundamentals of the President's conception of the Constitution.

One of the Roosevelt tenets is that the admitted power of Congress "to regulate commerce with foreign nations and among the several states," can be stretched to permit regulation of wages and working conditions in business and industry of all kinds whether it is commerce or not and whether it is interstate or only local.

Federal Power Over Agriculture and Industry.

The second tenet is that the taxing power of Congress can be employed to compel agriculture and industry to accept regulation through the penalizing effect of special taxes. In the Guffey Act the tax could be avoided by compliance with regulation, and under A.A.A. processors were taxed and the revenue thus derived was distributed as benefits to those farmers who complied with regulation.

The Guffey Act attempted to regulate the relations of labor and capital in coal mining by imposing a tax on the product of employers who failed to comply with the regulation. The Court held that the regulation sought to be imposed was beyond the power of Congress and found the act to be unconstitutional by the settled rule that what Congress lacks the power to do directly it may not accomplish by indirection.

The A.A.A. fell by the same test and was held to be unconstitutional as an attempt on the part of Congress to exceed its power by indirection.

The unanimous decision against N.R.A. held that act, "the heart of the New Deal," as President Roosevelt described it, to be unconstitutional before coming to consideration of the President's fundamental as to the commerce clause, which it embodied. It was found to be a delegation of legislative authority by Congress to the President and others, and unconstitutional for that reason alone. The Congress cannot abdicate, the decision said. However the court went further and upset the President's conception of the power of Congress under the "commerce clause." Congress itself had not the power to do the things which it authorized the President to do, and the act was unconstitutional for that reason, too. This because the regulatory powers of Congress are confined to interstate commerce, and the N.R.A. and its codes covered all sorts of activities which were neither interstate nor commerce.

Justices Eligible to Retire Occupy Position of Peculiar Importance.

It will be seen from the foregoing analysis that if the present Justices should retain their seats and President Roosevelt appointed six additional Justices who would join with the three of the 6 to 3 decisions, the new Court presumably would divide 9 to 6 in favor of acts turning upon the controlling points of A.A.A. and the Guffey Act. Here the President would be sustained but by a vote of only three to two, whereas he is now overruled by a division of two to one.

Next, if another N.R.A. measure were presented to the 15-Judge court it would certainly be held unconstitutional by a 9 to 6 majority, and possibly a heavier majority, for it is not conceivable that any of the present Justices would reverse himself.

But if, as many administration supporters profess to believe, or at least hope, the six eligible Justices should retire as soon as the Sumners bill providing for retirement on full pay becomes a law, speculation must take a different turn. These six are Hughes, Brandeis, McReynolds, Sutherland, Van Devanter and Butler. Their retirement would leave Cardozo, Stone and Roberts. The first two of these latter were among the three of the 6 to 3 decisions.

If the six new Justices shared the views expressed by Cardozo and Stone as to the Guffey Act and the A.A.A., the vote on duplicates of these bills would, of course, be 8 to 1, in favor with Justice Roberts the lone dissenter.

At Least Three Against New N.R.A.

What would happen to a new N.R.A. measure is problematical, but on the basis of the record there certainly would be at least three votes against it when it reached the Court, those of Cardozo, Stone and Roberts.

While President Roosevelt's purpose has been plainly stated by himself and Attorney-General Cummings to be to bring about validation of his legislative program by infusing "new blood" into the Court, it will be seen that the success of this aim is not assured. The barrier in the President's way is the unanimity of the N.R.A. decision. The three Justices whose dissent in the A.A.A. and Guffey cases is the principal reliance in the effort to justify the scheme to remake the Court, agreed in the N.R.A. case with their six associates in holding that Congress was absolutely without power to regulate wages and other elements in the relations of employers and employees in local activities which were neither commerce in nature nor interstate in character.

Nor did the decision leave it to be inferred that wages paid to persons engaged exclusively in interstate commerce could be regulated by Congress. One thing which made the decision devastating from the New Deal point of view was the fact that Justices Cardozo and Stone (of the significant three) joined in a separate concurring opinion which was even stronger than the principal decision in its dissent from the Roosevelt view of the Constitution as expressed in the so-called recovery statute.

Not So Simple Or Practical.

President Roosevelt said of the Constitution in his first inaugural address that it was "so simple and practical that it is possible always to meet extraordinary needs by changes in emphasis and arrangement."

In the N.R.A. this change of emphasis and arrangement was attempted by asserting in the preamble of the act that the purpose of Congress was to remove "obstructions to the free flow of interstate and foreign commerce," and to promote the general welfare by increasing purchasing power (wages and income) and improving the standards of labor. Thus the power of Congress to regulate interstate commerce was to be used to raise wages, shorten hours, increase employment, and increase profits so employers could pay the higher wages.

The declaration of policy in the act argued that the unemployment and disorganization of industry existing were burdens on interstate commerce, diminishing the amount thereof, and so were subject to the regulatory power of Congress. This was intended to make the act reach the whole body of business activity and employment, however far removed from interstate commerce.

The Supreme Court said no, by nine to none.

Taxing Power Theory Denied.

In the A.A.A., which provided for subsidies to farmers under certain conditions and taxed processors to raise these subsidies, the change in emphasis and arrangement was attempted by declaring an emergency that affected the national public interest and again asserting that the conditions which existed burdened and obstructed the flow of commerce. The taxing power was resorted to to effectuate control of production.

The Court said no by a majority of two to one. What was being attempted was regulation of agricultural industry which was outside the power of Congress.

In the Guffey Act it was again attempted to employ the taxing power to promote the general welfare, and it was declared that the production of coal "directly affected" interstate commerce in the commodity, and the purpose to remove burdens and obstructions to interstate commerce was asserted. Again the Court said this was an indirect attempt to do what Congress had no power to do directly; that is, regulate wages in the coal mining industry. And again the Court divided—two to one against the act.

In the fourth case vital to New Deal policy, the cancellation of the gold clause in private contracts, as has been pointed out, the President's view was upheld by a 5 to 4 decision.

The cases which follow related to measures which, while expressing the New Deal philosophy, were not integral parts of its legislative program and were restricted in scope.

Broad powers to make and enforce regulations of industry in a limited field were delegated to the Pres-

dent and agencies N.R.A. Here the legislative in character Constitution could

Only two acts. Deal legislation was secondary importance. T. alon act was one, particularly success to Congressional commerce, and the Co tions on them who retirement act wh be paid to retired gress was held by constitutional tak

Municipal Bank

The other 5 to 4 decision which a age districts to com ity view this infrin was in effect the c forbids the states t tract. Obviously t economy" program

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TVA a New Deal

The New Deal w the court by 8 to 1 o to sell and distribut the Tennessee River. the electricity was pr stitutional power to Court specifically lim was not construed as program for water-po Three other decis

the Supreme Court

dent and agencies under his control in the "hot oil" section of N R A. Here the court said, by 8 to 1, that these powers were legislative in character, belonged to Congress, and under the Constitution could not be delegated.

Only two acts of Congress which have been described as New Deal legislation were killed by 5 to 4 decisions, both being of secondary importance and limited in their application to special circumstances. The original railway employees' retirement pension act was one. The railways, which as public utilities are particularly susceptible to regulation, are admittedly subject to Congressional control as instrumentalities of interstate commerce, and the Court has even upheld regulation of labor conditions on them where safety of operation is concerned. But the retirement act which taxed all railway payrolls for pensions to be paid to retired employees under conditions prescribed by Congress was held by a majority of the Court to amount to an unconstitutional taking of private property.

Municipal Bankruptcy Act.

The other 5 to 4 decision invalidated the Municipal Bankruptcy Act which authorized political subdivisions such as drainage districts to compose or write down their debts. In the majority view this infringed on the rights reserved to the states and was in effect the countenancing of an act which the Constitution forbids the states to do, that is, to impair the obligations of contract. Obviously this had little relation to the broad "planned economy" program of N R A and A A A.

There were two subsidiary decisions, however, in which the nine Justices joined in holding unconstitutional the Frazier-Lemke farm-mortgage moratorium law and the act for issuance of Federal charters to building and loan associations chartered under state laws.

The Frazier-Lemke act permitted a mortgagor in default to retain possession of his farm by paying a rental and ultimately to discharge the debt by paying an amount fixed by appraisers. This amounted to a public taking of private property (the mortgagee's security) without just compensation, the unanimous Court said.

The building and loan association provision, which was in a section of the Home Owners' Loan Act, also was found by unanimous vote of the justices to violate states' rights in that it undertook to authorize the discarding of a state charter by a financial institution for a Federal charter without the consent of the state authorities having jurisdiction.

In still another case all nine justices voted against the President, this in connection with an executive action and not an act of Congress. They overruled his dismissal of the late William E. Humphrey as a member of the Federal Trade Commission on the ground that he exceeded his authority and that his act was illegal. The act of Congress creating the commission provided that the President, who had the appointment of members, could dismiss them only for inefficiency, neglect of duty or malfeasance. The dismissal was for none of these but so the President might make his own selection and better serve the purposes of his administration, that is the New Deal.

Besides the cancellation of the gold clause in private contracts, the Court has upheld three other New Deal acts of Congress, each having a bearing on the Roosevelt program but not having the fundamental importance of N R A. The decision in favor of the Ashurst-Sumners Act, first of these, was unanimous, that is all eight justices sitting voted for it and there was no doubt that Justice Stone, absent because of illness, would have approved it.

This act, indorsed by organized labor, prohibited the shipment of convict-made goods into states forbidding their sale, and also required the factual branding of such goods when shipped in interstate commerce. Its purpose was to limit the competition of prison labor with free labor. The decision followed the much earlier one upholding the Webb-Kenyon law which prohibited liquor shipment into dry states. The commerce clause application was clearly recognized.

In upholding the 50 per cent tax on profits in silver trading the Court also was unanimous under the same circumstances as in the Ashurst-Sumners case; Justice Stone again being absent. An act providing for the purchase of silver for monetary reserves at a price above the then market price, imposed the tax and made it retroactive for some months preceding the enactment of the law. The Court held it was valid as a special income tax and not violative of any constitutional rights, as the retroactive period was only that in which profits might have accrued in contemplation of enactment of the law.

TVA a New Deal Victory.

The New Deal won a victory also in the T V A case where the court by 8 to 1 confirmed the authority of the Government to sell and distribute electricity produced at Wilson Dam on the Tennessee River. The sale was approved on the ground that the electricity was produced incidentally in exercise of the constitutional power to control navigable streams. Because the Court specifically limited its decision to the particular case, this was not construed as a blanket validation of whole New Deal program for water-power development.

Three other decisions on Congressional acts are sometimes

(Continued on Page 22.)

Decisions of the Court

Acts Essential to "New Deal"

Act Passed On	Result	Grounds for the Decision	Court's Vote	—Division of the Court—	
				AGAINST New Deal	FOR New Deal
NRA	Killed	Provision for code-making was unconstitutional delegation of legislative power to President and others. Exceeded authority of Congress to regulate interstate commerce.	5-4	All Justices	
"Hot Oil" Section of NRA	Killed	Unconstitutional delegation of legislative power.	5-4	Butler Brandeis Hughes McReynolds Roberts Stone Sutherland Van Devanter	Cardozo
AAA	Killed	Unconstitutional use of taxing power in attempt to do indirectly what Congress had no power to do directly. Exceeded authority of Congress to regulate interstate commerce.	6-3	Butler Hughes McReynolds Roberts Sutherland Van Devanter	Brandeis Cardozo Stone
Gulley Coal Act	Killed	Unconstitutional delegation of legislative power in code-making. Illegal use of taxing power, as in AAA. Exceeded authority of Congress to regulate interstate commerce.	6-3	Butler Hughes McReynolds Roberts Sutherland Van Devanter	Brandeis Cardozo Stone
Gold Clause Cancellation, in Government Bonds	Killed	Congress had no power to cancel the pledge given to pay gold, but citizen has no remedy.	6-3	Brandeis Butler Cardozo Hughes McReynolds Roberts Sutherland Van Devanter	Stone
Gold Clause Cancellation, in Private Contracts	Upheld	Under its constitutional power to coin money and regulate its value Congress had power to abrogate private obligations to pay in gold.	5-4	Butler McReynolds Sutherland Van Devanter	Brandeis Cardozo Hughes Roberts Stone

Acts of Limited Application

Frazier-Lemke Act	Killed	Violated Fifth Amendment by depriving citizen of property without just compensation.	5-4	All Justices	
Railway Pension Act	Killed	Violated Fifth Amendment, taking property of one to bestow on another. Exceeded power of Congress to regulate railroads under Interstate Commerce Clause.	5-4	Butler McReynolds Roberts Sutherland Van Devanter	Brandeis Cardozo Hughes Stone
Municipal Bankruptcy Act	Killed	Infringed on States' power over their fiscal affairs, and their consent was of no force, as purpose was one Constitution denied States the power to sanction—impairment of obligations of contract.	5-4	Butler McReynolds Roberts Sutherland Van Devanter	Brandeis Cardozo Hughes Stone
Building and Loan Charters	Killed	Exceeded powers of Congress and violated rights reserved to States by the Constitution.	5-4	All Justices	
Ashurst-Sumners Act	Upheld	Law prohibiting shipment of convict-made goods into States forbidding their sale was valid exercise of interstate commerce power.	8-1		All Justices Sitting in the Case

*Hughes wrote a separate opinion agreeing that the law and its provisions of the act were unconstitutional, but holding the price-fixing provision as to interstate commerce was valid.
†Stone was absent because of illness.

THE CONSTITUTION OF THE UNITED STATES

(The following is a literal copy of the original Constitution as signed by the Delegates of the Constitutional Convention on Sept. 17, 1787.)

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States, which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts, eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three. When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writ of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies. No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen. The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceed-

ings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such Time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections, to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8. The Congress shall have Power to lay and collect Taxes, Duties, Imports and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imports and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States; To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads; To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings, and Discoveries;

To constitute Tribunals inferior to the Supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the

Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;— And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight; but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its Inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II.

Section 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office, during the Term of four Years, and together with the Vice President, chosen for the same Term, be elected as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of

President; neither

Office who shall five Years, and be the United States. In Case of the Resignation or of his Death, the Powers and the shall devolve on the may by Law provide Resignation or in Vice President, de as President, and until the Disability be elected.

The President shall Services, a Compe creased nor dimin he shall have been within that Period United States, or Before he enter o shall take the follo solemnly swear (o culate the Office of will to the best of defend the Constiti Section 2. The Chief of the Army of the Militia of the actual Service quire the Opinion, in each of the exee ject relating to the and he shall have Pardons for Offens cept in Cases of He shall have Po Consent of the Sena thirds of the Sena nominate, and by of the Senate shall Ministers and Cons and all other Offi Appointments are and which shall be gress may by Law ferior Officers, as alone, in the Cou Departments.

The President shall cancies that may Senate, by granting at the End of the Section 3. He shall Congress Information recommend to their Co he shall judge neces extraordinary Occas either of them, and them, with Respect may adjourn them proper; he shall rec lie Ministers; he sh faithfully executed, Officers of the Unit Section 4. The Pres Officers of the Unit Office on Impeachm son, Bribery, or othe

Section 1. The jud shall be vested in o ferior Courts as the ordain and establis preme and inferior during good Behavi receive for their Ser not be diminished du Section 2. The jud Cases, in Law and E made, or which shal it;—to all Cases aff Ministers and Consul maritime Jurisdiction the United States sh between two or mor Citizens of another s ferent States;—betw claiming Lands unde between a State, or t States, Citizens or S Ambassadors, other p those in which a St Court shall have orig Cases before mentione appellate Jurisdiction, such Exceptions, and Congress shall make. The Trial of all Crim in the State where t committed; but when the Trial shall be at a gress may by Law ha Section 3. Treason a consist only in levyin hering to their Enem fort. No Person shall on the Testimony of t Act, or on Confession. The Congress shall hav ment of Treason, but work Corruption of B the Life of the Person

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President; neither shall any Person be eligible to that Office who shall not have attained the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be en-creased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

Section 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects. In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

Section 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall in Consequence of any Law or Regulation therein, be discharged from such Service or Labour; but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of it's equal Suffrage in the Senate.

ARTICLE VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

THE FIRST TEN AMENDMENTS TO THE CONSTITUTION.

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II.

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ARTICLE III.

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

ARTICLE VII.

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines be imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

SUBSEQUENT AMENDMENTS TO THE CONSTITUTION.

ARTICLE XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

ARTICLE XII.

The Electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states; the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

Section 1. Neither slavery nor involuntary servitude except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

Section 1. All persons born or naturalized in the (Continued on Page 22.)

QUESTIONS FOR MR. ROOSEVELT

(From the Post-Dispatch of March 12, 1937.)

1. You fill the people at their firesides with alarm when you tell them you are trying to save democracy for America. What is the hidden danger to American democracy?

2. Exactly what kind of "crisis" confronts the country which requires the extraordinary means you now propose to meet it?

3. What legislation do you contemplate which you fear the present Supreme Court will find to be unconstitutional?

4. You point out that 13 states—citing the smallest—could defeat a "clarifying amendment" to the Constitution: why this defeatist position when all the states except two were carried by you last November? And if 13 states did defeat it, would not that be their

right under the Constitution, which you have twice, as President, sworn to uphold?

5. If time is now the essence of the country's problem and the bill to reorganize the judiciary must be passed immediately, why did you not recommend that reorganization in 1935, when, in your "horse-and-buggy" press conference, you, as a lawyer, said the court's unanimous decision killing N.R.A., the "heart of the New Deal," implied the doom of all the rest of it? Have you not wasted nearly two years?

6. You deny intending to pack the Supreme Court. If you do not pack it, what is to prevent continued decisions with which you will disagree? Will not divisions continue—even the majority-of-one division that you denounce?

7. If the majority of the court which you create should interpret the Constitution as the present court has done, will you then accept the verdict, or will you seek further to enlarge the court and name still another majority?

8. You urge the people to read and re-read the Constitution, and you say the court has been acting not as a judicial body but as a policy-making body. Where in the Constitution do you find authority for the President to act in a judicial capacity—to tell the court what its decisions should be?

9. How can you exalt democracy and denounce majority decisions of the Supreme Court? Do you know of any way in which democracy can function except by majority rule?

ROOSEVELT, THE CONSTITUTION AND THE SUPREME COURT

(Continued from Page 19.)

included in considering the New Deal and the Court. One was the unanimous ruling in favor of refund of processing taxes under the A.A.A. This necessarily followed from the decision invalidating A.A.A. The second was the 7-to-1 opinion upholding the power given by an act of Congress to the President to place an embargo on shipment of arms intended for the Chaco war in South America, in no way concerned with New Deal policies. The third was a 6-to-3 ruling that the Securities and Exchange Commission could not compel a witness to testify before it after he had withdrawn a securities registration statement upon which it was proposed to examine him. Only an administrative action was at issue.

The Court has been criticised also for its 5 to 4 decision holding the New York minimum wage law was unconstitutional. Although this was a state measure and not part of the New Deal, it was in sympathy with the Roosevelt program. The act provided for minimum wages for women and children in New York State, and the Court held that this deprived

persons of freedom of contract, a property right, contrary to the guarantees of the Fourteenth Amendment. Justices Butler, Roberts, Van Devanter, Sutherland and McReynolds made up the majority, and on the other side were Chief Justice Hughes and Justices Brandeis, Cardozo and Stone.

Two other state laws in sympathy with New Deal objectives have been sustained by the Court by 5 to 4 decisions against attacks on their constitutionality. One was the Minnesota mortgage moratorium, which did not go so far as the Federal Frazier-Lemke Act. Here Chief Justice Hughes and Justice Brandeis, Cardozo, Roberts and Stone made up the majority.

The other decision was on the New York law for controlling the price of milk at retail. In its limited field this followed the purposes of N.R.A. as to stabilizing business. The same five justices who sustained the Minnesota moratorium law also voted in favor of this act.

Examination of these decisions fails to show any relation between the ages of the Justices, to which attention was sharply drawn by the President's

proposal to provide for retirement at 70, and their respective votes on New Deal legislation. For example, Justice Brandeis, now 80, was one of three who dissented to the decision invalidating A.A.A. and the Guffey Coal Act. Two of the younger Justices, Cardozo, 66, and Stone, 54, were frequently with Brandeis but not always. The youngest member of the Court, Justice Roberts, 61, and one of the older members, Chief Justice Hughes, 74, have sometimes been together in a decision invalidating a New Deal act and in other cases have been together on the other side.

The other four Justices, Van Devanter, 77; McReynolds, 75; Sutherland, 74, and Butler, 70, constituted the minority which held the cancellation of gold clauses in private contracts to be unconstitutional; but they have joined the others in upholding the Ashurst-Sumners Act concerning convict-made goods. They also joined in sustaining T.V.A.

Persons who confidently divide the Court into "liberals" and "conservatives" have been stumped by these variations.

CONSTITUTION OF THE UNITED STATES

(Continued from preceding page.)

United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XVI.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

ARTICLE XVII.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

ARTICLE XVIII.

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation, of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ARTICLE XIX.

The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XX.

Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice-President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President, whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President, whenever the right of choice shall have devolved upon them.

Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

ARTICLE XXI.

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, territory, or possession of the United States, for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

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Editorials— NO COMPROMISE

(From the Post-Dispatch of March 18, 1937.)

THERE are suggestions in the news that Senator Robinson of Arkansas and other proponents of the President's court-packing scheme, alarmed by the opposition which has rolled up against it, are casting about for some form of compromise that will win wavering Senators.

Any offer of compromise should be spurned.

The President has raised a fundamental issue. It is whether or not the court shall be packed in the interest of particular legislation that he desires—whether or not the constitutional system of three co-ordinate branches of government shall be broken down.

The principle of an independent judiciary is at stake.

On that principle there can be no compromise.

The issue should be fought to a finish along a straight line. Shall the President be permitted to gain the power that he seeks and to create thereby a precedent fraught with danger to the Republic, or shall the President be checked? That is the question to be settled.

Let the President's plan be faced squarely and disposed of. There should be no confusion of the public mind by the introduction of alternative or complementary proposals. They can come later. The essential thing now is that the President be told—and that all future Presidents be told—that executive power cannot be increased at the whim of the executive.

The issue, we repeat, is clear as daylight. The President has raised it; let him have his answer. Let him have an answer clear and unequivocal. A great principle is at stake, and it admits of no compromise.

NO PRECEDENT

(From the Post-Dispatch of March 22, 1937.)

IT IS argued on behalf of the Roosevelt court-packing scheme that there is precedent for it. Jefferson, Jackson, Lincoln, Grant and Theodore Roosevelt are cited as having come into conflict with the Supreme Court and appointed Justices who shared their views on the important issues of the times.

The impression which is intended is that American history is pretty much a succession of precedents for the wholesale remaking of the court which Mr. Roosevelt proposes.

That this implication is wholly unjustified was shown by the extended historical review of previous Supreme Court-presidency episodes which appeared in the Post-Dispatch yesterday. The facts speak for themselves.

Jefferson appointed one Justice to succeed a member who died, a second to succeed a member who resigned, a third to fill a seat required by the addition of a new Circuit. Grant appointed two Justices to succeed members who died, a third to succeed a member who resigned and a fourth to fill a seat necessitated by the re-establishment of a Circuit. And so on. Each President cited by the proponents of the court scheme did no more than fill the vacancies which arose normally or appoint Justices to the new circuits added as the country developed westward.

There is as much difference between these earlier presidential relationships with the court and what Mr. Roosevelt proposes as there is between night and day. His predecessors fulfilled their constitutional duty of continuing the existence of the court. Looking to the establishment of a new philosophy of government, Mr. Roosevelt proposes a wholesale reconstruction of the court and therefore its destruction as an independent co-ordinate branch of the federation. There is no precedent for the revolutionary plan now before the country.

The purpose of this article is to set forth the facts about the so-called presidents' packing. What precisely did Lincoln do? What were the circumstances? Did Lincoln's relationship with the Supreme Court differ from that which would have been the case had he not been president?

(Facsimile from the Post-Dispatch of March 21, 1937.)

